SUPREME COURT OF THE UNITED STATES.

No. 373.

THE STEAMSHIP WREN AND CARGO, EDWARD C. STILES, MASTER AND CLAIMANT, APPELLANT.

VS.

THE UNITED STATES.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

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1 UNITED STATES OF AMERICA:

District court of the United States, southern district of Florida, in admiralty.

THE UNITED STATES
vs.
THE STEAMSHIP WREN and CARGO, Edward C. Stiles, master and claimant. } Prize.

Be it remembered that on the sixteenth day of June, in the year of our Lord one thousand eight hundred and sixty-five, Homer G. Plantz, esq're, attorney of the United States for the southern district of Florida, filed in the office of the clerk of said court his libel of information against the steamship or vessel called the "Wren," her tackle, apparel, and furniture, and her cargo, in a cause of prize, in the words and figures following, to wit:

District court of the United States for the southern district of Florida, in admiralty.

THE UNITED STATES
vs.
THE STEAMER "WREN" and CARGO. } Prize.

To the honorable Thomas J. Boynton, judge of the district court of the United States for the southern district of Florida:

2 The libel of Homer G. Plantz, attorney of the United States for the southern district of Florida, who libels for the United States and for all parties in interest against the steamer "Wren" and cargo, in a cause of prize, alleges that Charles W. Gilley and other citizens of the United States, did, on the twelfth day of June, in the year of our Lord one thousand eight hundred and sixty-five, subdue, seize, and capture on the high seas, as a prize of war, the said steamer "Wren" and cargo, and that said captured property has been brought into the port and harbor of Key West, in the State of Florida, where the same now is, within the jurisdiction of this honorable court, and that the same is lawful prize of war and subject to condemnation and forfeiture as such.

Wherefore the said attorney prays that the usual process of attachment in prize causes may issue against said captured property; that monition may issue citing all parties having or claiming any interest or property in said captured property to appear and claim the same, that the nature, amount, and value of the said property may be determined; that due and proper proofs may be taken and heard; and that all due and proper proceedings being had, the said captured property may, on the final hearing of this cause by the definitive sentence of this court, be condemned, forfeited, and sold, and the proceeds distributed according to law.

(Sig'd) HOMER G. PLANTZ,
U. S. Attorney Southern Dist. of Fla.

3 Whereupon the following order was made and entered in this cause, to wit:

AT CHAMBERS, *June 16th*, 1865.

Ordered that attachment and monition be issued as prayed, returnable on Tuesday, June 27th, 1865.

(Sig'd) THO. J. BOYNTON,
U. S. District Judge.

Whereupon attachment was issued to the marshal of said district commanding him forthwith to attach, seize, and take into his custody the said steamship or vessel called the "Wren," her tackle, apparel, furniture, and the goods, wares, and merchandise comprising the cargo of said vessel, in the port of Key West, or wheresoever the same may be found within his precincts, and the same to keep until the further order of this court.

Which attachment was afterwards by him returned duly executed, and, with the return thereon indorsed, is on file in the clerk's office.

Also the monition was issued to the said marshal, commanding him forthwith to cite and admonish all persons whomsoever having or pretending to have any right, title, claim, or interest in or to the said vessel, the steamship "Wren," her tackle, apparel, furniture, or cargo, to appear at an admiralty session of said court to be held at the court-rooms of said court, at Key West, in said district, on Tuesday, the twenty-seventh day of June, A. D. 1865, at ten o'clock in the forenoon of that day, to show cause, if any they have,
4 why condemnation and forfeiture should not be decreed according to the prayer of said libellant.

Which monition was afterwards by him returned duly executed, and, with the return thereon indorsed, is on file in the clerk's office.

Afterwards, to wit, on the twenty-sixth day of June, A. D. 1865, Edward C. Stiles, master of said vessel, the steamship "Wren," appears by his proctor, Samuel Walker, esq're, and files his claim to the said vessel, the "Wren," in the words and figures following, to wit:

United States district court, southern district of Florida, in admiralty.

UNITED STATES
vs.
STEAMER "WREN" and CARGO. } Prize.

And now comes Edward C. Stiles and says that he is the master of the said steamer "Wren," and as such is the lawful bailee of said steamer, her tackle, apparel, and furniture, and claims the same for the owner thereof.

And he further says that John Laird, a lawful British subject, residing in England, is the true and bona fide owner of said steamer,

and that no other person is the owner thereof, as appears by the register of said steamer now in the possession of the court, and
5 as he is informed and believes.

And he further says that the said steamer had no cargo when seized.

And he further says that he denies that said steamer is a prize of war.

And he further prays restitution of said steamer, her tackle, apparel, and furniture, and that this honorable court will award such damages as shall appear to have been incurred and suffered by reason of the unlawful seizure and detention of the same, and grant such other and further relief as to the court may seem meet and just. And he will ever pray, &c.

(Sig'd) EDWARD C. STILES,
Master British Steamer "Wren."

(Sig'd) SAMUEL WALKER, *Proctor.*

Sworn and subscribed before me this 26th day of June, 1865.
(Sig'd) GEORGE D. ALLEN, *Clerk.*

SOUTHERN DISTRICT OF NEW YORK, *ss:*

Edward C. Stiles, being duly sworn, deposes and says that he is the master of the British steamer "Wren," and is the claimant named in the above claim; that he knows the contents thereof, and that the matters and allegations therein contained are true in manner and form as therein set forth, and that his knowledge of the same was acquired by his relationship to said steamer as master thereof; that on the 12th day of June, A. D. 1865, the said steamer
6 left the port of Havana, Cuba, bound to Liverpool, England, via Halifax, Nova Scotia; that while on the voyage to the said port about 1½ o'clock a. m., June 13th, a portion of the crew of said steamer mutinied, and this claimant was put in irons by the mutineers, two of whom entered his room when he was asleep and overpowered him, one holding a pistol to his head; that about the same time, as he is informed and believes, his first and second officers were also put in irons and the purser arrested, and that when the mutiny occurred, Mr. Duggan, the third officer, and Mr. Wilson, the third engineer, were on duty; that this claimant and the said steamer were then brought into the port of Key West, where the said steamer was delivered over to the prize court by a Mr. Gilley, who at the same time took from the person of this claimant the ship's papers; that this claimant, his first and second officers and purser, were then taken from the said steamer and imprisoned in Fort Taylor; that this claimant was afterwards taken before the prize commissioner and required to give evidence, and that he answered under protest.

(Signed) EDWARD C. STILES,
Master Steamer "Wren."

Sworn and subscribed before me this 26th day of June, 1865.
(Sig'd) GEORGE D. ALLEN, *Clerk.*

7 Afterwards, to wit, on the twenty-seventh day of June, in the year aforesaid, this cause came on to be heard before this court. Present, the honorable Thomas J. Boynton, judge—Homer G. Plantz, attorney aforesaid, appearing on behalf of the United States, and Samuel Walker, esq'r, proctor on behalf of the said claimant—when the said claimant, by his proctor, makes the following motion, to wit:

United States district court, southern district of Florida, in admiralty.

UNITED STATES
vs.
STEAMER WREN and CARGO. } Prize.

And now comes the claimant, Edward C. Stiles, by his proctor, Samuel Walker, and moves the court for an order to strike out the deposition of John Duggan, who is named as one of the captors in the letter of the said captors, addressed to Admiral C. K. Stribling, and filed in this cause.

(Signed) SAMUEL WALKER, *Proctor.*

Whereupon, on consideration thereof, the court refused the motion.

Whereupon the court proceeded to hear this cause upon the allegations and pleadings, the depositions taken in preparatorio, and the papers, letters, and writings found on board said vessel, the Wren.

The cause having been fully argued by the respective coun-
8 sel, the premises were thereupon submitted to the court.

Afterwards, on the twenty-ninth day of June, in the year aforesaid, the following orders were thereupon submitted to the court, to wit:

UNITED STATES
vs.
THE STEAMER WREN and CARGO, Stiles, claimant. } In admiralty.—Prize.

In this case it is ordered that the prize commissioner immediately take the testimony of Edward C. Stiles, James C. Long, and Thomas R. McGahan, the master, chief officer, and purser, of the captured steamer, and any other witnesses who may be produced by the claimant, from the persons on board the captured vessel at the time of the seizure, upon the following interrogatories; and that he also examine Charles W. Gilley, John Howard, and any other witnesses who may be produced by the captors from the persons on board the Wren at the time of seizure, on the first two of the following interrogatories, and not upon the others.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer Wren at the time of her seizure?

Second interrogatory. Give the names of all the persons
9 who took part in the seizure of the Wren and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution.

Third interrogatory. State the name of the person who appointed Edward C. Stiles to the command of the steamer Wren. State to the best of your knowledge and belief.

Fourth interrogatory. State in what capacity and by what authority the person who appointed Captain Stiles to the command of the Wren acted in making said appointment. State to the best of your knowledge and belief, and give your reasons of information.

Fifth interrogatory. Did the person who appointed Captain Stiles to the command of the Wren on the day of the appointment or previously hold any public office or position in Havana or Cuba? If so, what office of position? Did he act in any public capacity? If so, in what capacity? State to the best of your knowledge and belief, and give your means of information.

It is further ordered that the parties be allowed two days from the entering of this order within which to produce witnesses, other than those specially named in the order; at the expiration of which time the testimony taken shall be returned into the clerk's office.

(Sig'd) THO'S J. BOYNTON,
U. S. D. Judge.

10 THE UNITED STATES
vs.
THE STEAMER WREN, Stiles, master and cl'm't. } Prize.

In this case it is ordered that the prize commissioner take the testimony of such witnesses as shall, within two days from the entering of this order, be produced by the government or the claimant upon the following interrogatories.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the captured steamer Wren at the time of her seizure?

Second interrogatory. Are you acquainted with Charles J. Helm or C. G. Ramsay, of Havana, Cuba? Do you know whether either of said persons held, during the month of May, 1865, or previously, any public office or position in Cuba? If so, what position did either of them act in any public capacity? State as to both, and give your means of information.

Persons who were on board the Wren at the time of her seizure shall not be examined under this order.

(Sig'd) THO'S J. BOYNTON,
U. S. D. Judge.

11 Afterwards, to wit, on the third day of July, in the year aforesaid, this cause came on to be further heard before this court.

Present, the Honorable Thomas J. Boynton, judge.

The parties in this cause appearing by their attorneys aforesaid,

when the court resumed the hearing of this cause upon the allegations and pleadings, the depositions taken in preparatorio, and the papers, letters, and writings found on board said vessel, the Wren, and depositions taken under orders allowing further proof in this case.

The cause having been fully argued by the respective counsel, the premises were thereupon submitted to the court.

Afterwards, upon consideration thereof on the eighth day of said month of July, the parties aforesaid being present, the court announced its opinion in this case and condemnation of vessel and cargo.

Whereupon the claimant, by his proctor, excepts to the ruling of the court on motion to strike out the deposition of John Duggan, in the words following, to wit:

UNITED STATES
vs.
STEAMER WREN and CARGO. } Prize.

And now comes Edward C. Stiles, the claimant in this cause, by his proctor, Samuel Walker, and takes exception to the ruling of the court, disallowing his motion to strike out the deposition of John Duggan.

(Signed) SAMUEL WALKER, *Proctor.*

12 Afterwards, on the fifteenth day of August, in the year aforesaid, the following decree was entered in this cause.

District court of the United States, southern district of Florida, in admiralty.

THE UNITED STATES
vs.
THE STEAMER WREN and CARGO. } Prize.

A claim having been interposed for this vessel and cargo by Edward C. Stiles, master of said vessel, for and on account of John Laird, the younger, a British subject, and this cause having been heard on the libel and proofs and testimony taken in preparatorio, and pleadings of the claimant, and all due proceedings having been had, and the court being fully advised in the premises, and it appearing to the court that the said steamer Wren, her tackle, apparel, furniture, and cargo, were, at the time of capture, the property of enemies of the United States, it is now ordered, adjudged, and decreed that the said steamer Wren, her tackle, apparel, furniture, and cargo, be condemned and forfeited to the United States as lawful prize of war.

And it is further ordered that the clerk of this court issue a writ of venditioni exponas to the marshal of the district, for the sale of said steamer Wren, her tackle, apparel, furniture, and cargo,
13 and that the marshal make return of sale and expenses to this court, and deposit the proceeds of such sale with the assistant

treasurer of the United States, subject to the order of this court, as required by law.

(Signed) THO'S J. BOYNTON,
U. S. D. Judge.

Whereupon, the foregoing final decree being pronounced and entered in this cause, comes Samuel Walker, esq., proctor of the said claimant, and shows to the court that the matter in dispute exceeds in value the sum of two thousand dollars, and thereupon in open court prays an appeal from the aforesaid decree to the Supreme Court of the United States, next to be holden at Washington on Monday, the fourth day of December next. Thereupon it is ordered that the same be accordingly allowed, on the claimant's giving security, as required by law and the rules of this court, to answer all costs and expenses that may be adjudged and decreed against him, and to prosecute the appeal to effect.

Afterwards the said claimant having deposited in the registry of this court the sum of two hundred and fifty dollars as security to answer all costs and expenses that may be adjudged and decreed against him, and to prosecute said appeal to effect, whereupon it is ordered that said appeal be accordingly allowed.

14 Afterwards, on the twenty-fifth day of August aforesaid, the court made the following order, to wit:

District court of the United States, southern district of Florida.

THE UNITED STATES
vs.
THE STEAMER "WREN" and CARGO. } Prize.

Ordered that the original of the following papers returned into this court by the prize commissioner be transmitted to the Supreme Court in lieu of copies of the same as part of the record in said cause appealed to the Supreme Court:

Paper A. Communication from captors to the admiral commanding at Key West, dated June 14th, 1865.

Schedule E, No. 11. Letter addressed to Hon. John Slidell, from E. C. Stiles, dated at London, December 10th, 1863.

Schedule G, No. 16. Letter dated August 10th, 1863, on board steamer H. Pinckney, addressed to Captain F. Johns.

G, No. 36. Power of attorney from E. C. Stiles appointing Henry M. Maglee his true and lawful attorney.

G, No. 59. Form of oath signed by E. C. Stiles.

G, No. 67. Letter from S. R. Mallory, dated Richmond, May 25th, 1863, addressed to Lieut. E. C. Stiles, C. S. Navy.

15 G, No. 91. Envelope officially directed as follows, to wit, headed "Confederate States of America, headquarters dist. of Texas, New Mexico, and Arizona. Official business. Col. Charles J. Helm, C. S. Agent, Havana. Politeness of commander Stiles, C. S. N.

Schedule K, No. 27. Letter addressed Hon. S. R. Mallory, secretary of navy, Richmond, Va., from E. C. Stiles, dated steamer H. Pinckney, June 30th, 1863.

(Signed) THO'S J. BOYNTON,
U. S. D. Judge.

16 A.

STEAMER WREN, *Key West, June 14th*, 1865.

To the admiral commanding at Key West:

SIR: We, the undersigned, respectfully wish to inform you that, with the sanction of the United States consul at Havana, we have succeeded in capturing the steamer Wren, late confederate blockade runner, and in pursuance of orders received from him to report to you at Key West the earliest opportunity after her arrival. We take this method of doing so, understanding you have already received the list of names from the United States consul at Havana. As to all minor details I await the opportunity of informing you verbally. Hoping you will arrange matters at your earliest convenience, as we have another vessel in view.

Mr. P. Hamilton, Jno. Howard, Jno. Dugan, R. Carston, P. Murray, Ed. Farrall, Louis Burns, R'd Hill, P. Collie, Cha's Davis.

Yours, respectfully,

P. HAMILTON.
JNO. HOWARD.

18 [Marked on Prize Com'ss'rs Schedule, B.]

HEADQUARTERS E. G. SQUADRON,
Key West, Fl'a, June 14th, 1865.

SIR: The steamer Wren, late confederate blockade runner, has been captured by her crew and brought into this port.

I request you will give such instructions as will insure the possession of the vessel. I enclose letter from the captors.

I am, very respectfully, your ob't serv't,

(Signed) C. K. STRIBLING,
Act'g R. Admiral, comd'g E. G. Squad'n.

W. C. MALONEY, *Prize Commissioner, Key West, Fl'a.*

[Marked on Prize Com'ss'rs Schedule, C.]

SOUTHERN DISTRICT OF FLORIDA, *ss:*

In the matter of the steamer Wren and cargo.

Be it remembered, that on this fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-five, before me, Walter C. Maloney, prize commissioner for the southern district of Florida, personally appeared at my office in Key West, Charles W. Gilley, who being duly cautioned and sworn to testify the
19 truth, the whole truth, and nothing but the truth, did thereupon depose and say: That he, together with the persons hereinafter named, being loyal citizens of the United States, and being

together in Havana, Cuba, in the month of June, in the year 1865, engaged between themselves to capture the steamer Wren, the property of the so-called Confederate States of America, the said steamer Wren then being about sailing out of Havana, and to that end the said persons hereinafter named joined the ship's company of said steamer in various capacities, and sailed out of the port of Havana in said steamer on the twelfth day of June, 1865. That on the morning of the thirteenth day of June, 1865, before daylight, in lat. 26° N., long. 79° 40′ W., the said persons took possession of the said steamer upon the high seas, and immediately directed her course to the port of Key West, where they anchored the said steamer under the guns of Fort Taylor, in said last-mentioned port, on the evening of the said last-mentioned day.

The said Charles W. Gilley further says that he has secured all the papers which could be found on board the said steamer, and has faithfully delivered the same to the above-named prize commissioner, together with a confederate flag found on board.

Deponent alleges that the said steamer is the property of the so-called confederate states pretended government and lawful prize of war.

20 List of the names of the persons engaged in the capture of the above-named steamer:

Charles W. Gilley, P. Hamilton, J. Howard, R. Carson, Charles Davis, P. Murray, L. Vernell, P. Colley, C. Folley, O. Folley, assisted by the following named persons in bringing in the vessel after capture, in the engineer's department: John Brown, James Moore, George Wilson, John Sheppard, and ch'f eng. G. R. McComber, 2d eng. B. Williams.

He further says, that if at any time hereafter, and before the final condemnation or acquittal of said captured property, any further or other papers shall be found or come to his knowledge relating thereto, they shall also be delivered up or information thereof be given to said commissioner or to the district court of the United States for this district.

(Signed) C. W. GILLEY.

Sworn and subscribed before me this 15th day of June, A. D. 1865.

(Signed) W. C. MALONEY,
Prize Commissioner.

21 *Depositions taken in preparatorio.*

District court of the United States for the southern district of Florida.

THE UNITED STATES
vs.
THE STEAMER "WREN" and CARGO. } Prize.

Deposition of Edward C. Stiles before Walter C. Maloney, prize commissioner, at Key West, 17th June, 1865.

1st. To the first interrogatory deponent answers, that his name is Edward C. Stiles, born in Pennsylvania, has lived for the last seven years partly in Europe and partly in the southern confederate states.

He considers England as his home, having lived there last. He considers himself a subject of Great Britain, and as owing allegiance to Queen Victoria; was born in the United States. Has heard his father say that he was born in the island of Bermuda, and had never been naturalized as a citizen of the United States; is a widower without family.

2d. To the second interrogatory deponent answers, that he was present at the time of the capture or taking of the Wren.

3d. To the third interrogatory deponent answers, that on the morning of the thirteenth June, before daylight, the seizure was made by a portion of his own crew taking possession of the steamer,
22 and placing himself and two of his officers in irons. The steamer was brought into the port of Key West on the evening of the same day. The steamer had no commission or letters authorizing her to make prizes. He considers the seizure a clear case of mutiny.

4th. To the fourth interrogatory deponent answers, the captured vessel sailed under the British colors; does not know what other colors were on board; the third officer had informed him that there was a confederate flag on board, and he was satisfied that there was such a flag on board. The witness desires to correct the foregoing statement by saying there was a confederate flag on board; does not know for what reason the confederate flag was on board; he did not take it on board nor did he want it on board.

5th. To the fifth interrogatory deponent answers, that himself and officers were overpowered simultaneously; no further resistance was made, no guns were fired. The capture was not made by any ship or ships, but by a portion of his own crew; no ships in sight at the time of the capture. The captured vessel was a merchantman, and belonged to one Laird, junior, as he inferred from the register, and was informed.

6th. To the sixth interrogatory deponent answers, the first port the vessel would have entered would have been Halifax, if she had not been seized; the second port would have been Liverpool, England. He was employed to take her to Lievrpool, England, and should there have delivered her up.

7th. To the seventh interrogatory deponent answers, the
23 vessel taken was named the Wren, and Edward C. Stiles, master. He was appointed to the command by Mr. Ramsay, at Havana; has known the vessel about six weeks; is himself the master; the vessel was delivered to deponent by Captain Moore; the fixed place of abode of witness is in England.

8th. To the eighth interrogatory deponent answers, the vessel is about four hundred and fifty tons; is not positive as to the number of the vessel's company; thinks there was thirty-four, and all on board at the time of seizure; some are Englishmen, some are southerners. They all came on board at Havana; the third officer, the steward, and one boy deponent believes were in the vessel on a former voyage, and reshipped for this voyage; the others of the crew came on board at Havana at different times; they were shipped by the gov-

ernment shipping master at Havana in the month of June, eighteen hundred and sixty-five. The terms were for a voyage from Havana to Liverpool for the sums set opposite their respective names, varying according to their situation; deponent as master was in no event to receive a larger compensation than that mentioned in the shipping agreement; for others he does not believe there was any other compensation to be allowed than that mentioned in the shipping agreement. The agreement was absolute.

9th. To the ninth interrogatory deponent answers that he was mas-
of the vessel at the time of seizure. He had no part, share or
24 interest in the vessel, nor does he believe that any of the officers or ship's company had any such.

10th. To the tenth interrogatory deponent answers: Has known the vessel for about six weeks; first saw her in Havana; she carried no guns; the vessel is British build; her name is the Wren; does not know of her having borne any other name.

11th. To the eleventh interrogatory deponent answers: Does not know what her draft of water would be if fully loaded. She drew about six feet and a half when captured. She has no cargo on board; nothing but her coals; does not know any reason why she was not deeper loaded.

12th. To the twelfth interrogatory deponent answers that the vessel had a British register and crew list; no other papers on board belonging to the vessel; her last voyage was from Havana to Galveston, Texas, and back to Havana; does not know what cargoes the vessel has carried to the time of her capture; the last clearing port was Havana; on the tenth June, 1865.

13th. To the thirteenth interrogatory deponent answers that the vessel had no cargo on this voyage; nothing but coals.

14th. To the fourteenth interrogatory deponent answers, he believes
that one Laird, junior, was owner of the vessel at the time she
25 was seized. He only knows that from the register. He believes the said owner to be an Englishman. Deponent believes that said owner lives in Liverpool; has no acquaintance with said owner, does not know how long the said owner has been in possession, nor of whom he purchased.

15th. To the fifteenth interrogatory deponent answers that he does not know of any bill of sale; has never seen any bill of sale of the vessel.

16th. To the sixteenth interrogatory deponent answers that the vessel had no lading at the time of capture, nothing but coals.

17th. To the seventeenth interrogatory deponent answers there were no bills of lading.

18th. To the eighteenth interrogatory deponent answers. there were no bills of lading, no invoices, letters, or other writings on board except the register, to prove or show the interest of any person whatever in the vessel. He has not had possession of any other such paper or writing except the register.

19th. To the nineteenth interrogatory deponent answers, the vessel was seized in lat. 26° N., long. W. on the morning of the thir-

teenth of June, 1865, before daylight; in the Gulf stream; there was no charter party; the deponent was engaged to take the vessel to Liverpool and deliver her there to Fraser, Trenholm & Co.

26 20th. To the twentieth interrogatory deponent answers that all the letters and papers of which he has any knowledge of having been on board on the present voyage were taken by the asserted captors, with the exception of one letter to himself from the of the agent of the vessel, Mr. Helms, at Havana, which was destroyed, and an order in favor of deponent from Mr. Helms for the payment of forty pounds, payable on delivery of the ship at Liverpool.

21st. To the twenty-first interrogatory deponent answers that he knew that all the southern ports were blockaded at one time; at the time of the sailing of the vessel on the voyage on which she was seized he understood that the war was over and that the blockade had ceased.

22d. To the twenty-second interrogatory deponent answers, neither the port from which the vessel sailed on the voyage on which she was captured nor the port to which she was bound was under an order of blockade by the government of the United States; heard nothing said of the vessels breaking any blockade.

23d. To the twenty-third interrogatory deponent answers, no.

24th. To the twenty-fourth interrogatory deponent answers, he has heard that the vessel had after the establishment of the blockade run the blockade.

27 25th. To the twenty-fifth interrogatory deponent answers, he does not know.

26th. To the twenty-sixth interrogatory deponent answers, he has lost by the seizure of the vessel his wages, expenses, and damages, which he intends claiming; has not received any indemnity, satisfaction, or promise of satisfaction, for any part of the damage sustained or which may be sustained.

27th. To the twenty-seventh interrogatory deponent answers he does not know nor has he been informed of any insurance on the vessel.

28th. To the twenty-eighth interrogatory deponent answers that there was no cargo on board the vessel.

29th. To the twenty-ninth interrogatory deponent answers there was no cargo on board the vessel.

30th. To the thirtieth interrogatory deponent answers there was no cargo.

31st. To the thirty-first interrogatory deponent answers he has no knowledge of any such papers, except a register from the custom-house at Liverpool.

32d. To the thirty-second interrogatory deponent answers all the papers which were on board the vessel when she sailed on her last voyage, and which were on board at the time of capture, with the exception of the letter acknowledged to have been destroyed,

28 were taken out of the vessel after her arrival at the port of

Key West by the prize commissioner, and he believes they are now in his possession.

33d. To the thirty-third interrogatory deponent answers no.

34th. To the thirty-fourth interrogatory deponent answers there were three passengers on board; none secreted; their names were Mr. and Mrs. Swymmer and Mr. Mills. Mr. Swymmer is an Englishman and a merchant; has heard Mr. Mills say that he was a citizen of Charleston, South Carolina; does not know his rank or occupation; does not know of their having any commission; they were taken on board at Havana and were destined to Halifax; does not know on what business.

35th. To the thirty-fifth interrogatory deponent answers he believes all the papers on board were true and fair; they were obtained only for this vessel, as he believes; he only joined the vessel in the present month, and knows nothing of the papers obtained before he joined her further than appears on their face.

36th. To thirty-sixth interrogatory deponent answers there was no capturing vessel in the case; the capture or seizure was made by a portion of the crew of the captured vessel. The vessel was steering northerly; had been on that course about three hours; lat. 26° N., long. 79° 40′ W. The vessel's course was at all times directed to the port to which she appears by the ship's papers to have been destined. The log was kept on a slate, and had not been transferred to the log-book as yet, the first twenty-four hours of her voyage not having expired.

37th. To the thirty-seventh interrogatory deponent answers, that he has no knowledge of any sale of the vessel at any time. He verily believes that if the vessel should be restored, she will belong to Mr. Laird, the asserted owner, and to none others.

38th. To the thirty-eighth interrogatory deponent answers, that there were no guns mounted; no arms on board except two pistols and one sword; none of the other articles on board which are inquired about in this interrogatory.

39th. To the thirty-ninth interrogatory deponent answers, that he believes the real and true property of the vessel is in Mr. Laird, of Liverpool, and her destination to have been to Liverpool.

40th. To the fortieth interrogatory deponent answers no.

41st. To the forty-first interrogatory deponent answers, that the vessel on the voyage in which she was captured did not sail from or to a port under blockade. He has known the vessel on former voyages to sail from and to the port of Galveston, Texas, one of the blockaded ports under the forces of the United States.

42d. To the forty-second interrogatory deponent answers no.

43d. To the forty-third interrogatory deponent answers no.

The above answers are correctly stated, but signed under protest.

(Signed) EDW'D C. STILES,
Master British steamer Wren.

Taken before me this 17th June, 1865.

(Signed) W. C. MALONEY, *Prize Com'r.*

31 Deposition of James C. Long before Walter C. Maloney, prize commissioner, at Key West, on the 20th June, 1865.

1st. To the first interrogatory deponent answers that his name is James C. Long; born in Tennessee; has lived for the last seven years a portion of the time in Tennessee, and the Southern States; he now lives in Tennessee, and was born and raised there. Is a citizen of the State of Tennessee; owes allegiance to the United States.

2d. To the second interrogatory deponent answers that he was present at the capture and taking of the Wren.

3d. To the third interrogatory deponent answers that the seizure was made on the morning of the thirteenth of June, 1865, in the straits of Florida; was carried into the port of Key West. The vessel had no commission or letters authorizing her to make prizes.

4th. To the fourth interrogatory deponent answers that the vessel sailed under British colors; knows of no other colors on board.

5th. To the fifth interrogatory deponent answers that there was no resistance; no guns fired. The capture was not made by any ship or ships, but by a portion of the crew who mutinied and took possession of the vessel. No vessels in sight at the time. The captured vessel was a merchantman.

32 6th. To the sixth interrogatory deponent answers that the first port which the vessel would have entered would have been Halifax; the second port, Liverpool. The voyage would there have ended.

7th. To the seventh interrogatory deponent answers: The name of the vessel was the Wren; the name of the master, Edward C. Stiles. Mr. Ramsay at Havana appointed him to the command. Has known the vessel for about three months; has known the master about the same time. He took possession at Havana, on the thirty-first day of May, of the present year. Captain Moore, her former master, delivered the possession of the vessel to him; he believes the fixed place of abode of the master is England; does not know if he has any family; has heard the master say he was born in Pennsylvania; has heard him say he was a British subject.

8th. To the eighth interrogatory deponent answers that he does not know the tonnage of the vessel. The number of the vessel's company was thirty-five; all on board at the time of seizure. Some are English, some Americans; does not know how many of either. Some had been on former voyages in the vessel, and rejoined her for the present voyage at Havana. All came on board at Havana in the month of June, 1865. They were all shipped by the public shipping master at Havana, in June. The terms of the voyage, was for a voyage from Havana to Liverpool; seamen at three pounds ten shillings per month; firemen at four pounds ten shillings per month.

33 Deponent's wages were twenty pounds per month as first officer. Neither himself or any other of the ship's company were to receive in any event any larger compensation than was mentioned in the shipping agreement. The agreement was absolute.

9th. To the ninth interrogatory deponent answers that he belonged to the company of the vessel as first officer. Neither himself or

others of the vessel's company had any part, share, or interest in the vessel.

10th. To the tenth interrogatory deponent answers that he has known the vessel for about three months. First saw her in Havana, in the month of April last; she carried no guns; is English build; is named the Wren; does not know of her ever having borne any other name.

11th. To the eleventh interrogatory deponent answers: Does not know her draft with a full cargo on board. She drew about six feet three inches when captured. She had no cargo whatever; knows no reason otherwise.

12th. To the twelfth interrogatory deponent answers that he does not know what papers the vessel carried; does not know, but has heard and believes that the vessel was engaged in bringing out cotton from Galveston on former voyages. Her last voyage began at Havana, and was to have ended at Liverpool.

13th. To the thirteenth interrogatory deponent answers:
34 The vessel had no cargo on the present voyage.

14th. To the fourteenth interrogatory deponent answers that he does not know, and has never heard who were or are the owners of the vessel, or how long they have been in possession.

15th. To the fifteenth interrogatory deponent answers that he does not know anything in regard to a bill of sale for the vessel, nor of any engagement for the purchase of the vessel.

16th. To the 16th interrogatory deponent answers that the vessel carried no lading on the present voyage; nothing but coal to make steam.

17th. To the seventeenth interrogatory deponent answers that there were no bills of lading.

18th. To the eighteenth interrogatory deponent answers, no.

19th. To the nineteenth interrogatory deponent answers that the lat. was 26° N., long. 79° 40′ W., at the time of the seizure, on the thirteenth day of June, eighteen hundred and sixty-five, in the straits of Florida.

20th. To the twentieth interrogatory deponent answers that he does not know what papers were on board the vessel when
35 she took her departure from Havana. Does not know of any having been burnt, torn, thrown overboard, destroyed or cancelled, or attempted to be concealed.

21st. To the twenty-first interrogatory deponent answers that he had had knowledge of all the southern ports having been blockaded at one time, but at the time of leaving on the present voyage was informed that all those ports were in possession of the forces of the United States.

22d. To the twenty-second interrogatory deponent answers, no.

23d. To the twenty-third interrogatory deponent answers, no.

24th. To the twenty-fourth interrogatory deponent answers that from information received at Havana, he believes that the vessel had previously run the blockade out of Galveston, Texas, successfully.

25th. To the twenty-fifth interrogatory deponent answers, no.

26th. To the twenty-sixth interrogatory deponent answers: No loss except the loss of time. He has not received any indemnification or promise of satisfaction.

27th. To the twenty-seventh interrogatory deponent answers: He does not know.

36 28th. To the twenty-eighth interrogatory deponent answers that the vessel carried no cargo on the present voyage.

29th. To the twenty-ninth interrogatory deponent answers, there was no cargo.

30th. To the thirtieth interrogatory deponent answers, there was no cargo.

31st. To the thirty-first interrogatory deponent answers, not to his knowledge.

32d. To the thirty-second interrogatory deponent answers, that he believes all the papers were taken out of the vessel after her arrival at Key West by the prize commissioner, and he believes they are in the possession of the prize commissioner now; he does not know of any having been taken out by any other person or at any other time.

33d. To the thirty-third interrogatory deponent answers, no.

34th. To the thirty-fourth interrogatory deponent answers, there were three passengers on board; none secreted; their names were Mr. and Mrs. Swymmer and Mr. Mills; has heard Mr. Mills say he was from South Carolina; Mr. and Mrs. Swymmer are English; does not know of their rank, profession, or occupation; they were all taken on board at Havana in the month of June; they were finally destined to Halifax; does not know on what business; does not believe

37 that any of the passengers had any property or concern or authority, directly or indirectly, regarding the vessel.

35th. To the thirty-fifth interrogatory deponent answers, that he knows nothing whatever about the character of the papers of any description which were found on board.

36th. To the thirty-sixth interrogatory deponent answers, there was no capturing vessel; the captured vessel's course was north; the lat. was 26° N., long. 79° 40′ W.; the vessel's course was at all times directed to the port to which, by the ship's papers, she was destined.

37th. To the thirty-seventh interrogatory deponent answers, that he has no knowledge of any sale or transfer of the vessel.

38th. To the thirty-eighth interrogatory deponent answers, that there were no guns mounted; no arms but the private arms of the officers; nothing of the various articles enumerated.

39th. To the thirty-ninth interrogatory deponent answers, that he does not know anything whatever about the ownership of the vessel; he believes that her true destination was Liverpool.

40th. To the fortieth interrogatory deponent answers, not to his knowledge.

41st. To the forty-first interrogatory deponent answers, that on the present voyage the vessel did not sail from or to any blockaded

38 port; he has been informed that on the former voyages she has run the blockade at Galveston.

42d. To the forty-second interrogatory deponent answers, no.
43d. To the forty-third interrogatory deponent answers, no.
(Signed) JAS. C. LONG.

Deposition of Thomas R. McGahan before Walter C. Maloney, prize commissioner, at Key West, on the 19th June, 1865.

1st. To the first interrogatory deponent answers, that his name is Thomas R. McGahan; born in Georgia; has lived for the last seven years in Charleston, South Carolina; lives in Charleston, and has lived there for the last twelve years; is a citizen of South Carolina, and owes allegiance to that State; is a married man; his family resides in Augusta, Georgia.

2d. To the second interrogatory deponent answers, that he
39 was present at the capture or taking of the Wren.

3d. To the third interrogatory deponent answers, that the capture was made at sea, on the morning of the thirteenth of June; was carried into the port of Key West; the vessel had no commission or letters authorizing her to make prizes to his knowledge; he does not know for what reasons or on what pretence the capture was made.

4th. To the fourth interrogatory deponent answers, the captured vessel sailed under British colors; he saw no other colors until the vessel arrived in this port; saw then a confederate flag; does not know for what reason she had such other colors.

5th. To the fifth interrogatory deponent answers, there was no resistance made at the time of capture; no guns were fired; the capture was not made by any ship or ships, but was made by a portion of the crew rising upon the master and officers of the vessel, and taking forcible possession; the captured vessel was a merchantman.

6th. To the sixth interrogatory deponent answers, the first port which the vessel would have entered, if she had not been seized, would have been Halifax; the second port Liverpool; her voyage would have terminated there.

7th. To the seventh interrogatory deponent answers, the
40 vessel's name was the Wren; the name of her master is Edward C. Stiles; the master was appointed to the command, as he understood, by Major Helms, at Havana; has known the vessel only from the tenth of the present month of June, 1865; has known the master for about six weeks; the master took possession of her at Havana; does not know who delivered the possession of her; believes that the master took possession by authority of Major Helms; does not know the fixed place of abode of the master or of his family; does not know where he was born; does not know of what country or State he is a subject or citizen; has heard him say he was a subject of Great Britain.

8th. To the eighth interrogatory deponent answers, that he does not know the tonnage or burden of the vessel; does not know the number of the vessel's company, nor the actual number on board at the time of capture, nor what countrymen they are; all came on board at Havana; believes they were hired by C. G. Ramsay at Havana; the terms of the shipping agreement was for a voyage from Havana

26th. To the twenty-sixth interrogatory deponent answers: No loss except the loss of time. He has not received any indemnification or promise of satisfaction.

27th. To the twenty-seventh interrogatory deponent answers: He does not know.

36 28th. To the twenty-eighth interrogatory deponent answers that the vessel carried no cargo on the present voyage.

29th. To the twenty-ninth interrogatory deponent answers, there was no cargo.

30th. To the thirtieth interrogatory deponent answers, there was no cargo.

31st. To the thirty-first interrogatory deponent answers, not to his knowledge.

32d. To the thirty-second interrogatory deponent answers, that he believes all the papers were taken out of the vessel after her arrival at Key West by the prize commissioner, and he believes they are in the possession of the prize commissioner now; he does not know of any having been taken out by any other person or at any other time.

33d. To the thirty-third interrogatory deponent answers, no.

34th. To the thirty-fourth interrogatory deponent answers, there were three passengers on board; none secreted; their names were Mr. and Mrs. Swymmer and Mr. Mills; has heard Mr. Mills say he was from South Carolina; Mr. and Mrs. Swymmer are English; does not know of their rank, profession, or occupation; they were all taken on board at Havana in the month of June; they were finally destined to Halifax; does not know on what business; does not believe

37 that any of the passengers had any property or concern or authority, directly or indirectly, regarding the vessel.

35th. To the thirty-fifth interrogatory deponent answers, that he knows nothing whatever about the character of the papers of any description which were found on board.

36th. To the thirty-sixth interrogatory deponent answers, there was no capturing vessel; the captured vessel's course was north; the lat. was 26° N., long. 79° 40′ W.; the vessel's course was at all times directed to the port to which, by the ship's papers, she was destined.

37th. To the thirty-seventh interrogatory deponent answers, that he has no knowledge of any sale or transfer of the vessel.

38th. To the thirty-eighth interrogatory deponent answers, that there were no guns mounted; no arms but the private arms of the officers; nothing of the various articles enumerated.

39th. To the thirty-ninth interrogatory deponent answers, that he does not know anything whatever about the ownership of the vessel; he believes that her true destination was Liverpool.

40th. To the fortieth interrogatory deponent answers, not to his knowledge.

41st. To the forty-first interrogatory deponent answers, that on the present voyage the vessel did not sail from or to any blockaded

38 port; he has been informed that on the former voyages she has run the blockade at Galveston.

42d. To the forty-second interrogatory deponent answers, no.
43d. To the forty-third interrogatory deponent answers, no.
(Signed) JAS. C. LONG.

Deposition of Thomas R. McGahan before Walter C. Maloney, prize commissioner, at Key West, on the 19th June, 1865.

1st. To the first interrogatory deponent answers, that his name is Thomas R. McGahan; born in Georgia; has lived for the last seven years in Charleston, South Carolina; lives in Charleston, and has lived there for the last twelve years; is a citizen of South Carolina, and owes allegiance to that State; is a married man; his family resides in Augusta, Georgia.

2d. To the second interrogatory deponent answers, that he
39 was present at the capture or taking of the Wren.

3d. To the third interrogatory deponent answers, that the capture was made at sea, on the morning of the thirteenth of June; was carried into the port of Key West; the vessel had no commission or letters authorizing her to make prizes to his knowledge; he does not know for what reasons or on what pretence the capture was made.

4th. To the fourth interrogatory deponent answers, the captured vessel sailed under British colors; he saw no other colors until the vessel arrived in this port; saw then a confederate flag; does not know for what reason she had such other colors.

5th. To the fifth interrogatory deponent answers, there was no resistance made at the time of capture; no guns were fired; the capture was not made by any ship or ships, but was made by a portion of the crew rising upon the master and officers of the vessel, and taking forcible possession; the captured vessel was a merchantman.

6th. To the sixth interrogatory deponent answers, the first port which the vessel would have entered, if she had not been seized, would have been Halifax; the second port Liverpool; her voyage would have terminated there.

7th. To the seventh interrogatory deponent answers, the
40 vessel's name was the Wren; the name of her master is Edward C. Stiles; the master was appointed to the command, as he understood, by Major Helms, at Havana; has known the vessel only from the tenth of the present month of June, 1865; has known the master for about six weeks; the master took possession of her at Havana; does not know who delivered the possession of her; believes that the master took possession by authority of Major Helms; does not know the fixed place of abode of the master or of his family; does not know where he was born; does not know of what country or State he is a subject or citizen; has heard him say he was a subject of Great Britain.

8th. To the eighth interrogatory deponent answers, that he does not know the tonnage or burden of the vessel; does not know the number of the vessel's company, nor the actual number on board at the time of capture, nor what countrymen they are; all came on board at Havana; believes they were hired by C. G. Ramsay at Havana; the terms of the shipping agreement was for a voyage from Havana

to Liverpool, for the sums set opposite to the respective names, varying according to the station of the party; he was not on pay; and believes the shipping agreement was absolute, and that no other or greater compensation was to have been allowed for the voyage.

9th. To the ninth interrogatory deponent answers, that he belonged to the company of the vessel in the capacity of purser;
41 he had no interest or share in the vessel; nor does he know or believe that any other person on board had any share or interest in said vessel; the vessel was without cargo.

10th. To the tenth interrogatory deponent answers: He has known the vessel about two weeks; first saw her in Havana; carried no guns; believes she is English build; has only known her by the name of the Wren; had never heard of her having any other name.

11th. To the eleventh interrogatory deponent answers: He does not know.

12th. To the twelfth interrogatory deponent answers: He does not know what papers the vessel carried; has been informed that the vessel had been trading to Galveston; her last voyage began at Havana, and was to have ended at Liverpool; does not know what cargoes the vessel has carried into Galveston; has been told she brought out cotton; the last clearing port was Havana previous to capture.

13th. To the thirteenth interrogatory deponent answers he believes the vessel has no cargo; nothing but coals.

14th. To the fourteenth interrogatory deponent answers: He believes that Fraser, Trenholm & Co., of Liverpool, are the owners of the vessel, and were so at the time she was seized; has no personal knowledge as to who are the owners; he has heard Major Helms at Havana, and Mr. Lafitte also at Havana, speak of Fraser,
42 Trenholm & Co. as the owners of the vessel; does not know of what nation or country such owners are by birth; does not know where they reside, nor their wives or families; does not know how long the present owners have been in possession, nor of whom the purchased.

15th. To the fifteenth interrogatory deponent answers: Does not know anything about a bill of sale for the vessel; has never seen any for this vessel.

16th. To the sixteenth interrogatory deponent answers: He believes there is no cargo or lading on the vessel except coals for the use of the ship.

17th. To the seventeenth interrogatory deponent answers: There are no bills of lading; no cargo.

18th. To the eighteenth interrogatory deponent answers: He has not in his possession, nor were there on board at the time of capture within his knowledge, any writings of any description to prove or show his own interest, or the interest of any other person in the vessel or goods on board of her.

19th. To the nineteenth interrogatory deponent answers: He does not know the degrees of latitude or longitude in which the vessel was seized or captured; it was on the morning after leaving Havana, the thirteenth of present month; she was brought into Key West

on the evening of the same day; no charter party that he knows of; does not know of any agreement, verbal or otherwise,
43 concerning the voyage on which the vessel was captured.

20th. To the twentieth interrogatory deponent answers: He does not know what papers were on board the vessel at the time she took her departure from the last clearing port; deponent destroyed three papers handed to him by the master after the arrival of the vessel at Key West; he was instructed to destroy them; he does not know their contents; he was told by the master that one of the papers was the instructions for the voyage; one of the papers, which was open, was in the handwriting and signed by Charles J. Helm, Havana.

21st. To the twenty-first interrogatory deponent answers: That he had known that all the ports of the southern coast had been held under blockade by the naval forces of the United States, but at the commencement of the present voyage he understood that all the ports were then open, and that the blockade had ceased.

22d. To the twenty-second interrogatory deponent answers: Neither the port from which the vessel sailed nor the port to which she was bound were under order of blockade by the government of the United States at the time she sailed or was captured; nothing whatever had been said about the vessel's breaking any blockade on the voyage on which she was captured by any person, or visiting any intermediate port. and thence breaking any blockade.

44 23d. To the twenty-third interrogatory deponent answers: The register of the vessel was not shown to or examined by any officer of the United States navy or revenue service before she was captured.

24th. To the twenty-fourth interrogatory deponent answers: That he believes, from information received from C. G. Ramsay, at Havana, that the vessel had more than once violated the blockade of the port of Galveston, Texas, always successfully.

25th. To the twenty-fifth interrogatory deponent answers: Not to his knowledge.

26th. To the twenty-sixth interrogatory deponent answers: His only loss is in the time he has been detained; he has not received any indemnity, satisfaction, or promise of satisfaction.

27th. To the twenty-seventh interrogatory deponent answers: He does not know of any insurance.

28th. To the twenty-eighth interrogatory deponent answers: There was no cargo on the vessel.

29th. To the twenty-ninth interrogatory deponent answers: There was no cargo.

30th. To the thirtieth interrogatory deponent answers: There was no cargo.

31st. To the thirty-first interrogatory deponent answers: He does not know of the existence of any such papers anywhere; the
45 vessel had a British register.

32d. To the thirty-second interrogatory deponent answers: All the papers or writings which were on board the vessel at the time of her departure from Havana, with the exception of those destroyed,

were delivered to the prize commissioner at Key West after the arrival of the vessel in this port, and by him carried out of the vessel; he believes they are still in his possession.

33d. To the thirty-third interrogatory deponent answers: No.

34th. To the thirty-fourth interrogatory deponent answers: There were three passengers recognized as such on board the vessel; none of these were secreted at the time of capture; there was one other person who came on board clandestinely, and up to the time of the capture was secreted on board; he was one of those who assisted in making the capture; the passengers by name were Mr. and Mrs. Swymmer and George E. Mills; Mr. and Mrs. Swymmer are English; Mr. Mills is from Charleston, South Carolina; Mr. Swymmer is a merchant; Mr. Mills has been a signal officer in the Confederate States service; does not know of any commission held by either; they were taken on board at Havana, and were finally destined to Halifax; none of the passengers, to his knowledge, had any property in or concern or authority, directly or indirectly, concerning the vessel or cargo.

46 35th. To the thirty-fifth interrogatory deponent answers: That he believes all the papers of every character which were found on board are entirely true and fair; he knows of no circumstance or matter to affect their credit; he does not know anything about the papers; Mr. Swymmer had a Spanish passport to leave the island of Cuba, and also a British protection; has not written any letters or papers concerning the vessel or her cargo.

36th. To the thirty-sixth interrogatory deponent answers: The capture was not made by a vessel, but by a portion of the crew of the Wren; does not know the courses steered, nor the latitude and longitude; he believes the vessel was at all times directed to the port to which by her papers she appears to have been destined.

37th. To the thirty-seventh interrogatory deponent answers that he knows nothing of any sale or transfer of the vessel at any time; he verily believes that if the vessel should be restored she will belong to the persons now asserted to be the owners, and to none others.

38th. To the thirty-eighth interrogatory deponent answers: There were no guns mounted; no arms or ammunition on board; does not know or believe that any of the articles enumerated in this interrogatory were on board.

39th. To the thirty-ninth interrogatory deponent answers: He believes the real and true property of the vessel is in Fraser,
47 Trenholm & Co., and her true destination was Liverpool.

40th. To the fortieth interrogatory deponent answers, no.

41st. To the forty-first interrogatory deponent answers, that on the present voyage the vessel did not sail from or to any port under blockade; during former voyages he has heard from Mr. Ramsey at Havana that she had run the blockade at Galveston, Texas.

42d. To the forty-second interrogatory deponent answers, he has no knowledge on the subject.

43d. To the forty-third interrogatory deponent answers, no.

(Signed) T. R. McGAHAN.

48 Deposition of John Duggan before Walter C. Maloney, prize commissioner at Key West, on the 20th day of June, 1865.

1st. To the first interrogatory deponent answers that his name is John Duggan; was born in Charleston, South Carolina; has lived in Halifax, Nova Scotia, for the last seven years; lives now in Liverpool, England, has lived there the last seven months; is a citizen of the United States and owes allegiance to the same; is a married man; his wife and family reside in Liverpool, England.

2d. To the second interrogatory deponent answers that he was present at the capture of the steamer Wren.

3d. To the third interrogatory deponent answers that the seizu of was made in the Gulf of Florida on the morning of the thirteenth e June, 1865. The vessel was carried into the port of Key West; th vessel had no commission or letters authorizing her to make prizes s far as he knows; he believes that the reason for the seizure was from the fact that the vessel was considered and believed to be owned by the confederate States.

4th. To the fourth interrogatory deponent answers that the vessel sailed under the English flag; she had a confederate flag on board, which she hoisted frequently in the harbor of Havana; witness
49 has hoisted this flag on the vessel himself by orders of his superior officer on board; he believes the reason for having this confederate flag on board was because she was the property of the Confederate States; she displayed this confederate flag on her flagstaff abaft while in the harbor of Galveston, in the manner usually displayed by national vessels.

5th. To the fifth interrogatory deponent answers that there was no resistance made at the time of capture; no guns were fired; the capture was not made by any ship or ships, but by a portion of the crew of the Wren; the captured vessel was a merchantman; he does not know to whom the vessel belonged, but has heard Captain Moore, one of her former masters, with whom he sailed in said vessel on former voyages, say that she was owned by the confederate government.

6th. To the sixth interrogatory deponent answers that the first port the vessel would have entered if she had not been captured and seized would have been Halifax; her next port would have been Liverpool.

7. To the seventh interrogatory deponent answers that the vessel's name was the Wren; the name of the master Edward Stiles; he was appointed to the command of the vessel by Major Helms, at Havana; has known the vessel about six months and her master about four weeks; he to took possession of her in May in the port of Havana; Captain Moore, her former master, delivered her to him; does
50 not know the fixed place of abode of the master or of his family; does not know where he was born.

8th. To the eighth interrogatory deponent answers: The vessel is about four hundred tons burden; the number of the vessel's company was thirty-five, all on board at the time of seizuere; some are Americans, some are English; does not know how many of either; they all speak the English language; all came on board at the port of Havana;

deponent and seven more had been on the vessel on a previous voyage to Galveston, Texas; they remained on board and re-shipped for the present voyage; the others of the crew joined the vessel at Havana in the present month of June; they were shipped by the public shipping master at Havana; the terms of the shipping agreement was for a voyage from Havana to Liverpool; deponent's wages was at the the rate of forty dollars per month; the seamen at seventeen and a half dollars per month; neither deponent or any of the ship's company, to his knowledge, were in any event to receive a larger compensation than that mentioned in the shipping agreement; the agreement was absolute.

9th. To the ninth interrogatory deponent answers: He belonged to the company of the vessel, and was their officer; neither himself or the other officers, or mariners, or company, had any part, share, or interest in the vessel, or goods laden on her.

10th. To the tenth interrogatory deponent answers: He has
51 known the vessel for about six months; first saw her in Liverpool, in December, 1864; he shipped in her at Liverpool in December, 1864, and proceeded in her to Havana, and had been in her all the time, engaged in running the blockade at Galveston; she carries no guns mounted; has carried guns and ammunition as cargo to Galveston in April last; the vessel is British build; her name is the Wren; has always been called by that name.

11th. To the eleventh interrogatory deponent answers: She draws about seven feet eight inches with a full cargo on board; she drew about six feet six inches when captured; knows no reason for her not being deeper loaded.

12th. To the twelfth interrogatory deponent answers: That he does not know what papers the vessel carried; the vessel had made three voyages from Havana to Galveston, in Texas, in the present year, while he was on board of her; her last voyage began at Havana and was to have ended at Liverpool; she had carried clothing, rope, wire, arms, and ammunition into Galveston, and brought out cotton to Havana.

13th. To the thirteenth interrogatory deponent answers that she had no cargo on her present voyage—nothing but coals; on the voyage preceding the present one she carried arms and ammunition to Galveston and brought back cotton.

14th. To the fourteenth interrogatory deponent answers: He
52 does not know, of his own knowledge, who are the owners of the vessel, but from what he has heard Captain Moore, her former master, say, with whom deponent sailed in said vessel, he believes that she is owned by the confederate government.

15th. To the fifteenth interrogatory deponent answers: He does not know anything in relation to a bill of sale for the vessel.

16th. To the sixteenth interrogatory deponent answers: That there was no cargo on board the vessel.

17th. To the seventeenth interrogatory deponent answers: There was no cargo.

18th. To the eighteenth interrogatory deponent answers: No.

19th. To the nineteenth interrogatory deponent answers that he does not know the degrees of latitude or longitude in which the vessel was when captured; it was in the gulf of Florida, on the thirteenth of June, 1865, the morning after her departure from Havana; he knows nothing of any charter party.

20th. To the twentieth interrogatory deponent answers that he does not know what papers were on board when the vessel took her departure from her last clearing port, before she was taken; has heard the steward of the vessel say that the purser destroyed some papers after the time of seizure.

53 21st. To the twenty-first interrogatory deponent answers: He had personal knowledge of the fact that the port of Galveston was under blockade, having run the blockade of that port in the same vessel—the Wren—on former occasions.

22d. To the twenty-second interrogatory deponent answers: She sailed on the present voyage from Havana and was bound to Liverpool by the way of Halifax; neither of those ports were under an order of blockade by the government of the United States.

23d. To the twenty-third interrogatory deponent answers: No.

24th. To the twenty-fourth interrogatory deponent answers tha he has sailed in the vessel, the Wren, about six months; during tha time the vessel has made three successful trips into and out of the port of Galveston while that port was blockaded.

25th. To the twenty-fifth interrogatory deponent answers: No.

26th. To the twenty-sixth interrogatory deponent answers: He has not sustained any loss.

27th. To the twenty-seventh interrogatory deponent answers: He does not know.

28th. To the twenty-eighth interrogatory deponent answers: The vessel had no cargo.

54 29th. To the twenty-ninth interrogatory deponent answers: There was no cargo.

30th. To the thirtieth interrogatory deponent answers: There was no cargo.

31st. To the thirty-first interrogatory deponent answers: He does not know.

32d. To the thirty-second interrogatory deponent answers: He does not know.

33d. To the thirty-third interrogatory deponent answers that there were three passengers on board, none secreted; Mr. and Mrs. Swymmer and Mr. Mills were the passengers; does not know of what nation, rank, or occupation; they were taken on board at Havana.

34th. To thethirty-fourth interrogatory deponent answers: He does not know what papers were on board, or their character.

35th. To the thirty-fifth interrogatory deponent answers: There was no capturing vessel; the capture was made by a portion of the crew of the vessel.

37th. To thirty-seventh interrogatory deponent answers: He knows nothing concerning a sale of the vessel.

38th. To the thirty-eighth interrogatory deponent answers: No guns

were mounted, no arms or ammunition belonging to her, nor
55 any of the other articles enumerated in this interrogatory.

39th. To the thirty-ninth interrogatory deponent answers that he has heard a former master of the vessel, Captain Moore, with whom he sailed in said vessel, say that she was a Confederate States government vessel, and he believes such to be the fact.

40th. To the fortieth interrogatory deponent answers: No.

41st. To the forty-first interrogatory deponent answers: In March, April, and May of the present year, the vessel has made three voyages to and from Galveston, then under blockade by the forces of the United States; saw the blockading vessels before the port.

42d. To the forty-second interrogatory deponent answers: No.

43d. To the forty-third interrogatory deponent answers: No.

(Signed) JOHN DUGGAN.

57 *Form No. 9 A, steamer.—Certificate of British registry.*

[British coat of arms.]

Official number of ship, 51,056; port number, 533; date of registry, 24th December, 1864.

Name of ship, Wren. British or foreign built, British; built at Birkenhead, in the county of Chester, in 1864; port of registry, Liverpool; how propelled, by paddles; number of decks, one; number of masts, two; rigged, schooner; stern, elliptical; build, clencher; galleries, none; head, none; framework, steel.

Measurements:

	Feet.	Tenths.
Lenth from the forepart of stem, under the bowsprit, to the aft side of the head of the stern post	211	1
Mean breadth to outside plank	23	2
Depth in hold from tonnage deck to ceiling at midships	10	4

Name and address of builder, Messrs. Laird Bro's, Birkenhead.

Tonnage:

Tonnage under tonnage deck	378.73
Closed-in spaces above the tonnage deck, if any, viz:	
Space or spaces between decks	
Poop	
Round-house	10.32
Other enclosed spaces, if any, naming them. Round-house for crew and galley, m'g $8\frac{81}{100}$ tons, not charged	
Gross tonnage	389.05
Reduction for space required for propelling power	21.90
Register tonnage	267.15

Length of engine-room, 52 feet 6 tenths. Number of engines, two. Combined power, (estimated horse power,) number of horses

power, one hundred and twenty. Name and address of engine maker, Messrs. Laird Bro's, Birkenhead.

I, the undersigned registrar of the port of Liverpool, hereby certify that the ship the description of which is prefixed to this my certificate, has been duly surveyed, and that the above description is true; that William Raisbeck, whose certificate of competency is No. 13,028, is the master of the said ship, and that the name, residence, and description of the owner, and number of sixty-fourth shares held by him, are as follows:

Name, residence, and occupation of the owner: John Laird, the younger, of Birkenhead, in the county of Chester, ship builder. No. of sixty-fourth shares, sixty-four, (64.)

Dated at Liverpool the 24th day of December, one thousand eight hundred and sixty-four.

(Sig'd) S. RICE EDWARDS, *Registrar.*

"*Note.*—A certificate of the registry granted under the 'merchant shipping act, 1854,' is not a document of title. It does not necessarily contain notice of all changes of ownership, and in no case does it contain an official record of any mortgage affecting the ship."

Indorsement:

58 BRITISH CONSULATE GENERAL, *Havana, March* 24, 1864.

A. J. Moore has now become master.

(Sig'd) ROBERT BRANCH, *Consul General.* [SEAL.]

HAVANA, *June 10th*, 1865.

E. C. Stiles has now become master.

(Sig'd) ROBERT BRANCH, *Consul General.* [SEAL.]

Agreement for foreign-going ships, sanctioned by the board of trade in pursuance of 13 *and* 14 *Vic., c.* 93, *s.* 46.

Name of ship, Wren. Port of registry, Liverpool. Name of master, Edward C. Stiles. Date and place of first signature of agree't, Havana, 8th June, 1865.

The several persons whose names are hereunto subscribed hereby agree to serve on board the said ship in the several capacities expressed against their respective names, on a voyage from Havana to Liverpool, and the said crew agree to conduct themselves in an orderly, faithful, honest, and sober manner, and to be at all times diligent in their respective duties, and to be obedient to the lawful commands of the said master, or of any person who shall lawfully succeed him, and of their superior officers, in every thing relating to the said ship and the stores and cargo thereof, when on board, in boats, or on shore; in consideration of which services, to be duly performed, the said master hereby agrees to pay to the said crew as wages the sums against their names respectively expressed, and to provide them with provisions according to the annexed scale; and is hereby agreed that any embezzlement, or wilful, or negligent destruction of

any part of the ship's cargo or stores shall be made good to the owner out of the wages of the person guilty of the same; and if any person enters himself as qualified for a duty which he is incompetent to perform, his wages shall be reduced in proportion to this incompetency; and it is also agreed that if any member of the crew considers himself to be aggrieved by any breach of the agreement or otherwise, he shall represent the same to the master or officer in charge of the ship in a quiet and orderly manner, who shall thereupon take such steps as the case shall require.

In witness whereof, the said parties have subscribed their names thereto on the days against their respective signatures mentioned.

Signed by Edward C. Stiles, master, on the 8th day of June, 1865.

Signatures of crew.	Age.	Town or county where born.	Ship in which he last served, and the port she belonged to.	Place and time of entry.	Capacity.	Time at which he is to be on board.	Am't of wages per month.	Am't of wages advanced on entry.	Signature, &c., of witness.
T. R. McGahan	38	England	S.	Hav'a, 10th June	Purser	At once			Ch's Garcia.
C. B. Coor	25	....do	Steamer Foam	....do	Purser's c'k	....do			....do
Jas. C. Long	20	....do	....do	Hav'a, 8 June	Mate	....do	$100 00	$100 00	....do
L. M. Jones	23	....do	....do	....do	2d do	....do	60 00	60 00	....do
John Duggan	26	....do	Steamer Wren		3d do	....do	40 00	40 00	....do
W. x Ring	22	....do	Steamer Evelyn	....do	Carpenter	....do	35 00	35 00	....do
Owen Farly	19	Ireland	Steamer Wren	....do	Steward	....do	50 00	50 00	....do
M. Timmins	16	England	....do	....do	2d	....do	20 00	20 00	....do
Geo. x Wood	36	....do	Sch'r Gipsey	Hav'a, 10 June	Cook	....do	50 00	50 00	....do
Samuel x Marshal	21	....do	Steamer Lizzie	....do	2d	....do	30 00	30 00	....do
A. x McKay	35	Scotland	Steamer Owl	Hav'a, 8 June	Seaman	....do	17 50	17 50	....do
James x Barrey	31	Ireland	....do	....do	....do	....do	17 50	17 50	....do
Geo. x Brown	25	Germany	Sch'r Jupiter	....do	....do	....do	17 50	17 50	....do
George x Harvey	20	N. Scotia	Steamer Wren	....do	....do	....do	17 50	17 50	....do
Peter x Coyle	23	Liverpool	Steamer Denbigh	Hav'a, 10 June	....do	....do	17 50	17 50	....do
Luis x Vernell	40	England	Steamer Foam	....do	....do	....do	17 50	17 50	....do
C. W. Gilley	27	....do	Steamer Gem	....do	....do	....do	17 50	17 50	....do
R. Macomber	23	U. States	Steamer Badger	Hav'a, 8 June	Chi'f eng'r	....do	250 00	250 00	....do
Edward J. Williams	42	Texas	Steamer Wren	....do	2d	....do	140 00	140 00	....do
Geo. Wilson	32	Ireland	Steamer Badger		3d	....do	100 00	100 00	....do
Jno. x Shepherd	22	U. States	Steamer Wren	Hav'a, 9 June	Greaser	....do	25 00	25 00	....do
J. x Gratten	27	England	Steamer Luna	Hav'a, 10 June	Fireman	....do	23 75	23 75	....do
John Welsh	25	N. Scotia	Steamer Owl	Hav'a, 8 June	....do	....do	23 75	23 75	....do
Peter Murray	25	Ireland	Steamer Evelyn	....do	....do	....do	23 75	23 75	....do
Edward Farley	23	....do	Steamer Wren	....do	....do	....do	23 75	23 75	....do
Thomas More	26	....do	Steamer Fox	....do	....do	....do	23 75	23 75	....do
James McCarty	24	Liverpool	Sch'r Rob Roy	Hav'a, 9 June	....do	....do	23 75	23 75	....do
Martin x Coffee	45	Ireland	Steamer Denbigh	....do	....do	....do	23 75	23 75	....do
A. x Agnew	25	....do	Steamer Owl	....do	....do	....do	23 75	23 75	....do
John x Brown	27	....do	Steamer Gipsey	....do	....do	....do	23 75	23 75	....do
P. Hamilton	42	....do	Steamer Wren	Hav'a, 8 June	Q'rmaster	....do	20 00	20 00	....do
W. Mariadd	26	England	....do	....do	....do	....do	20 00	20 00	....do
John McDonald	27	....do	Steamer Luna	....do	Fireman	....do	23 75	23 75	....do
Geo. x Garner	18	....do	Steamer Maria	....do	Boy	....do	15 00	15 00	....do
Wm. x Ames	14	....do	Steamer Wren	....do	....do	....do	15 00	15 00	....do

BRITISH CONSULATE GENERAL,
Havana, June 10th, 1865.

The thirty-nine men whose names are attached to this agreement, were shipped according to Spanish law by a shipping master appointed by the Spanish government. I am satisfied that they understood this agreement, but I have not seen the said men, as the system of shipping crews in this port does not admit of their appearing before me. I declare that it would be in violation of Spanish law, for which the vessel would incur a fine of one hundred dollars per man, if they were shipped in this office as required by British laws; and, further, this practice has prevailed for many years without any agreement being declared invalid on this account.

By order of H. B. M. consul general.

(Sig'd) H. ABAT, *Sec'y.* [SEAL.]

59 Duplicate:

NAVY DEPARTMENT, *Decemb'r* 30th, 1839.

SIR: You will proceed to New York with as little delay as possible, and report to Comm'r Renshaw for duty on board the U. S. schooner Grampus.

The regulations of the department require that all orders be promptly acknowledged.

I am, respectf'y, yours,

(Sig'd) J. K. PAULDING.

Act'g Mid'n EDW'D C. STILES,
U. S. Navy, Carlisle, Penn'a.

January 29th, 1840.—Report to the lieut. com'd't for duty in obedience to the above order.

(Sig'd) J. RENSHAW, *Com'd't.*

NAVY DEPARTMENT, *July 30th*, 1840.

SIR: You are hereby detached from the U. S. sch'r Grampus, with a leave of absence for two months from this date, at the expiration of which you will report to this department.

I am, respectf'y, yours,

(Sig'd) J. K. PAULDING.

60 Act'g Mid'n EDW D C. STILES,
U. S. Sch'r Grampus, Boston.

NAVY DEPARTMENT, *Oct'r 13th*, 1840.

SIR: Herewith you will receive a warrant appointing you a midshipman in the navy of the United States, from the 13th day of Decemb'r, 1839, the receipt of which you will acknowledge to this department.

I am, respectfully, yours,

(Sig'd) J. K. PAULDING.

Mid'n EDW'D C. STILES,
U. S. Navy, Carlisle, Penn'a.

Martin Van Buren, President of the United States of America, to all who shall see these presents, greeting:

Know ye, that reposing special trust and confidence in the patriotism, valor, fidelity, and abilities of Edward C. Stiles, I do appoint him a midshipman in the navy of the United States, from the 13th December, 1839. He is therefore carefully and diligently to discharge all the duties of a midshipman. And I do strictly charge and require all officers, seamen, and others under his command to
61 be obedient to his orders.

And he is to obey the orders and directions which he shall receive from the President of the United States, or his superior officer, according to the rules and discipline of the navy. This warrant to continue in force during the pleasure of the President of the United States.

Given under my hand, at the city of Washington, this eighth day of Septemb'r, in the year of our Lord one thousand eight hundred and forty, and in the sixty-fifth year of the independence of the United States.

(Sig'd) M. VAN BUREN.

By the President:

(Sig'd) J. K. PAULDING,
Secretary of the Navy.

Registered.

(Sig'd) L. B. HARDIN.

NAVY DEPARTMENT, 14 *December*, 1840.

SIR: Your letter of the 12th inst. has been rec'd agreeably to your request. You will proceed to Norfolk and report to Commodore Shubrick for duty on board the receiving ship at that station.

I am respectfully yours,

(Sig'd) J. K. PAULDING.

Mid'n EDW'D C. STILES,
62 270 *Walnut St., Philad'a.*

Report to Captain Skinner.

(Sig'd) W. BRANFORD SHUBRICK.

26 December, 1840.

Reported Dec. 27th.

(Sig'd) CHA. W. SKINNER.

NAVY DEPARTMENT, *March 27th*, 1841.

SIR: You will report to Com. Shubrick for duty on board the U. S. ship Delaware.

I am respectfully yours,

(Sig'd) J. D. SIMMS,
Act'g Sec'y of the Navy.

Md'n EDW'D C. STILES,
U. S. Navy, Norfolk, Va.

Report to Captain Macauley.
(Sig'd) W. BRANFORD SHUBRICK.
5th April, 1841.

Delivered April 5th.
(Sig'd) CH. W. SKINNER.

NAVY DEPARTMENT, *Aug't 3d*, 1842.

SIR: You are hereby detached from the frigate Potomac, and leave of absence is granted to you for three months from this
63 date, at the expiration of which you will report to this department.

You will inform the department of every change of your residence in the mean time.

I am resp'f'y yours,
(Sig'd) A. P. UPSHUR.

Mid'n EDW'D C. STILES,
U. S. Navy, Boston.

Delivered 9th August, 1842.
(Sig'd). JNO. B. NICOLSON, *Com'd't.*

NAVY DEPARTMENT, *December 3d*, 1842.

SIR: You will proceed to Boston by the 15th inst., and report to Commo. Nicolson for duty on board the U. S. brig Bainbridge.

I am respectfully yours,
(Sig'd) A. P. UPSHUR.

Mid'n EDW'D C. STILES. *U. S. Navy,*
Care of Benj. Stiles, 270 Walnut Street, Philadelphia.

Reported Dec. 15th, 1842.
(Sig'd) JNO. B. NICOLSON, *Com'd't.*

NAVY DEPARTMENT, *June 4th*, 1844.

64 SIR: Agreeably to your request of the 25th ultimo, you are hereby detached from the brig Bainbridge, with a leave of absence for one month from this date, at the expiration of which you will report to this department.

I am respectfully yours,
(Sig'd) J. Y. MASON.

Mid'n EDW'D C. STILES,
U. S. Navy, New York.

NAVY DEPARTMENT, *July 15th*, 1845.

SIR: Herewith you will receive a warrant as a passed midshipman in the navy of the United States, dated the 15th day of July, 1845, assigning you rank as such from the 2d day of July, 1845, and numbered thirteen, the receipt of which you will acknowledge to this department.

I am respectfully your obd't serv't,
(Sig'd) G. BANCROFT.

Passed Midshipman EDW'D C. STILES,
U. S. Ship Princeton, Philadelphia.

U. S. SHIP CUMBERLAND,
65 *off Vera Cruz, August 14th*, 1846.

SIR: Your letter of the 12th inst. has been received. It would afford me much pleasure to comply with your request, did I believe it could be done without some inconvenience to the public service.

I am, very resp'y, &c.,
(Sig'd) D. CONNER,
Com'd'g Home Squadron.

Passed Mid'n EDWARD C. STILES,
U. S. Steamer, Princeton.

NAVY DEPARTMENT, *March 25th*, 1846.

SIR: Your letter of the 17th instant was duly received.

You will return to Boston by the 5th of April next, and report to Comm'r Parker, for the purpose of resuming your duties on board the steamship Princeton.

As your leave of absence from that ship was given agreeably to your desire, you cannot be allowed travelling expenses under this order.

Your request to be ordered as acting master of the Princeton cannot be complied with, as a pass'd mid'n of older date than yourself has been ordered in that capacity.

I am, respectf'y, yours,
(Sig'd) G. BANCROFT.

66 Pass'd Mid'n EDW'D C. STILES, *U. S. Navy, New York.*
Reported April 6th, 1846.
(Sig'd) F. A. PARKER, *Com'd't.*

67 The President of the United States of America, to all who shall see these presents, greeting:

Know ye, that reposing special trust and confidence in the abilities and integrity of Edward C. Stiles, of Pennsylvania, I have nominated, and, by and with the advice and consent of the Senate, do appoint him consul of the United States of America at Vienna, and such other parts as shall be nearer thereto than to the residence of any other consul or vice-consul of the United States within the same allegiance, and do authorize and empower him to have and to hold the said office, and to exercise and enjoy all the rights, pre-eminences, privileges, and authorities to the same of right appertaining, during the pleasure of the President of the United States for the time being, he demanding and receiving no fees or perquisites of office whatever, which shall not be expressly established by some law of the United States. And I do hereby enjoin all captains, masters, and commanders of ships and other vessels, armed or unarmed, sailing under the flag of the said States, as well as all other of their citizens, to acknowledge and consider him, the said Edward C. Stiles, accordingly, and I do hereby pray and request his majesty the Emperor of Austria, his governors and officers, to permit the said Edward C. Stiles fully and peaceably to enjoy and exercise the said office, without giv-

ing, or suffering to be given, unto him any molestation or trou-
68 ble, but, on the contrary, to afford him all proper countenance and assistance, I offering to do the same for all those who shall in like manner be recommended to me by his said majesty.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand, at the city of Washington, the twenty-first day of July, in the year of our Lord 1856, and of the independence of the United States of America the 81st.

(Sig'd) FRANKLIN PIERCE.

By the President:

(Sig'd) W. L. MARCEY, *Secre'ary of State.*

Exequatur dated Wein, 22d October, 1856.

WHEATLAND, NEAR LANCASTER, 4 *August*, 1856.

My DEAR SIR: It affords me pleasure to comply with the request contained in your favor of the 1st instant, that I would mention the position and standing of your family.

I was on terms of intimate friendship with your father, the late
69 Edward J. Stiles, and I can say with truth I have never known a more honest or honorable man. As a gentleman and a christian he was exemplary, and his position in society was always with the wise and good.

I also well knew your grandfather, Thomas Duncan, who was one of the greatest lawyers which this State has ever produced, and died an eminent judge of our supreme court.

It affords me much satisfaction to be able to comply with your father's request, and in 1839 to procure for you a midshipman's warrant.

Having had but little personal acquaintance with yourself, I can only say if you are worthy of the family from which you have sprung, you deserve a high position in society. From all I have learned you are worthy of the consulate to which you have been appointed.

From your friend, very respectfully,

(Sig'd) JAMES BUCHANAN.

EDWARD C. STILES, Esq.

70 *Power of attorney.*

CONSULATE OF THE U. S. OF AMERICA AT VIENNA.

Know all men by these presents, that I, Edward C. Stiles, of the city and county of Philadelphia, State of Pennsylvania, United States of America, and at present consul of the U. S. of America at Vienna, in the empire of Austria, have made, constituted, and appointed, and by these presents do make, constitute, and appoint, Henry M. Naglee, of the city and county of San Francisco, State of California, United States of America, my true and lawful attorney, for me, and in my name, place, and stead, to transact all business that may arise or has arisen in connexion *in connexion* with my interests in the city and county of San Francisco, State of California, United

States of America, giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever necessary and requisite to be done in and about the premises, as fully, to all intents and purposes, as I might or could as if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney, or his substitute, shall lawfully do or cause to be done by virtue thereof, and I do hereby cancel and annul all or any power of attorney that I may have previously given in the city and county of San Francisco, State of California.

In witness whereof, I have hereunto set my hand and seal this day of July, one thousand eight hundred and sixty.

EDW'D C. STILES. [L. S.]

Sealed and delivered in presence of—
A. G. LAURENCE.

LEGATION OF THE U. S. OF AMERICA *at Vienna, in the Empire of Austria.*

Be it known, that on the 16th day of July, one thousand eight hundred and sixty, before me personally appeared Edward C. Stiles, the above-named, who is to me known to be the person described in and who executed the above letter of attorney, and acknowledged the execution thereof to be his free act and deed.

In testimony whereof, I have hereunto subscribed my name the day and year last above-written, and affixed the official seal of this legation.

[SEAL.]

J. GLANCY JONES,
Minister Plen. and En. Ex.

71 Be it known that on the 16th day of July, one thousand eight hundred and sixty, before me personally appeared Edward C. Stiles, the above named, who is to me known to be the person described in, and who executed the above letter of attorney, and acknowledged the execution thereof to be his free act and deed.

In testimony whereof, I have hereunto subscribed my name the day and year last above written, and affixed the official seal of this legation.

(Sig'd) J. GLANCY JONES, [SEAL.]
Minister Plen. and En. Ex.

LEGATION OF THE UNITED STATES OF AMERICA AT VIENNA, IN THE AUSTRIAN EMPIRE.

Passport No. 76—*gratis.*

To all to whom these presents shall come, greeting:

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America at the court of his imperial and royal apostolic majesty, hereby requests all whom it may concern to permit safely and freely to pass, and, in case of need, to give all lawful aid and protection to Mr. Edward C. Stiles, a citizen of the

United States, as would in like cases be extended to citizens
72 or subjects of other countries resorting to the United States.

Given under my hand and the seal of the legation at Vienna, in the Austrian empire, the 25th day of September, in the year 1861, and of the independence of the United States of America the 86th.

(Sig'd) J. GLANCY JONES. [SEAL.]

Description: Age, 37 years; stature, 5 ft. 5½ in., English; forehead, high; eyes, blue; nose, short; mouth, small; chin, round; hair, dark brown; complexion, florid; face, round; signature of the bearer,

(Sig'd) EDW'D C. STILES.

Indorsed: Seen in the consulate of the U. S. of America at Vienna, in the empire of Austria.

Weien, April 18th, 1862.

(Sig'd) P. CANISIUS, *U. S. Consul.*

73 LONDON, 10*th Nov'r*, 1862.

Capt. Styles, C. S. N.:

MY DEAR SIR: I send herewith a tracing of a very efficient iron-clad, sea-going screw steamer, and if you can induce your gov't to give me an order for having one built, I shall be glad to get it. I shall be ready to finance for them in the way I explained to you, and I shall take care that everything is done in an efficient and honorable manner.

Wishing you a good voyage and every success, I remain very truly yours.

(Signed) ALEX'R COLLIE.

Price of Citadel gunboat, fitted with two screws; speed, 14 knots per hour; armor, 2 150 pounders, 4 70 pounders, rifled; complete £80,000, eighty thousand pounds sterling. The vessel will be 1,100 tons measurement; 250 horse power; with armor-plated citadel as shown; draft of water, 12 feet; time required to build, 10 to 12 months; a perfect sea-going ship in every way.

(Signed) ALEX'R COLLIE, 23 *Sussex Square.*

74 71 JERMYN STREET, LONDON, S. W., *November* 14*th*, 1862.

E. C. Styles, esq'r, S. S. Justicia, Plymouth:

DEAR SIR: By book post I send to Collier Bros., directed to Burroughs, a copy of the cargo book showing where everything is stowed and particularizing those belonging to you, as well as the British government and the owners of the ship. You will find the medicines all marked in red and the name written against each lot in the above-named book.

Inclosed we send you packing account of the medicines, and when you tranship them please be most careful that you take with you complete sets as per list, this being made up complete for one hospital. You have on board 15 sets, complete; these you must always have with you, the cases in equal proportions as they are set out in our enclosure.

We have not succeeded to-day in obtaining the book; herewith you have another note, received from Collie; be assured we have done all in our power to obtain it; try to get one from Bourne at Bermuda.

Your note has just reached us from the ship; the money shall be paid as you wish at Vienna, and we will gladly attend to anything for you in England during your absence.

75 Wishing you a speedy and prosperous voyage, and waiting anxiously for letters from you whenever you can write one, we are, dear sir, faithfully yours.

(Signed) S. ISAAC CAMPBELL & CO.

We send a few other enclosures from Major Huse, which please have safely delivered.

WEDNESDAY MORNING.

DEAR STILES: Everything being now ready for a start, I wish you good luck. I shall send by post to Bermuda letters which I hope you will be the bearer of to Richmond. I am very busy getting up samples for the next shipment, otherwise I should have had one set ready for you; however I suppose they will not be much behind you.

I hope you and Halpin will have no difficulty; he appears to be a reasonable man, and I have no doubt that at sea everything will go on smoothly. If in any way I can serve you while I remain in Europe, please make use of me.

Wishing you a pleasant and speedy passage, very truly yours,

(Signed) CALEB HUSE.

76 *Steamship Cornubia.—Copy of a letter from Capt'n Burroughs to Capt'n Stiles, offering to transfer the ship to him as agreed upon in London.*

ST. GEORGE'S, BERMUDA, *December 8th*, 1862.

Capt'n Stiles, C. S. agent:

DEAR SIR: The steamer Cornubia having been on her trial trip, has, I hope, given you every satisfaction. I beg to inform you that she is now coaled, stored, and ready to take in cargo, and that I have engaged a crew to proceed in her, agreeing with them that in the event of capture or loss of steamer, they are to be sent to England at the expense of the confederate government, and their wages paid up to the time of arrival in Great Britain. At foot I beg to hand you rate of wages and bonus. In the event of your accepting the ship, I shall be obliged by your giving me a written reply and receipt in triplicate as agreed in England.

I am, dear sir, yours respectfully,

(Signed) JOHN BURROUGHS.

Wages and bonus.

1st officer, £12 per month; £100 per trip. 2d officer, £9 per month; £50 per trip. 3d officer, £6 per month; £25 per trip.

77 Boatswain, £5 per month; £20 p'r trip. Carpenter, £5 per month; £20 p'r trip. 1st steward, £8 per month; £30 p'r trip.

2d steward, £10 p'r trip. Cook, £5 10*s.* per month; £15 p'r trip. Eight seamen, £3 10*s.* per month; £10 p'r trip, for each man. 1st engineer, £18 per month; £100 per trip. 2d engineer, £14 per month; £50 per trip. 3d engineer, £10 per month; £30 per trip. Six firemen, £4 5*s.* per month; £15 per trip p'r man. Six trimmers, £4 per month; £15 per month p'r trip. Engineer's servant, £2 per month; £10 per trip.

Advance.

Officers, one-third of bonus; seamen, one-half of bonus; firemen, two-thirds of bonus; trimmers, two-thirds of bonus.

ST. GEORGE'S, BERMUDA, *December 9th*, 1862.

Capt'n John Burroughs, steamer "Cornubia:"

SIR: In reply to yours of yesterday informing me that the steamer "Cornubia" is coaled, stored, and ready to take in cargo, and that you have procured a crew to proceed in her, agreeing with them that, in the case of capture or loss of steamer, they are to be sent to England at the expense of the confederate government, and their wages paid up to the time of arrival in Great Britain, I have to state,
78 that so soon as you can hand me inventory of stores, furniture, fixtures, &c., &c., now on board of her, together with the list of the articles sent out of her since her arrival in this port, that I am ready to receive the ship in the name of the confederate states government, and to give you a triplicate receipt, as agreed upon before leaving England. I also agree to your terms as to wages and bonus for officers and men, as well as your proposition of sending the crew to England and the payment of their wages until such time as they may arrive at the port in Great Britain. In conclusion, allow me to return to you, sir, and through you to your officers and crew, my appreciation of your kindness and attention and respect I have received from all since the day I joined the good steamer "Justitia." Wishing you all every success in life, believe me,

Your friend,

EDW'D C. STILES, *Conf. Agent.*

PORT ST. GEORGE'S, BERMUDA,
December 12th, 1862.

John T. Bourne, esqr., present:

DEAR SIR: Enclosed I have to hand you bills lading for cargo
79 of st'r "Justitia" from London, which you will please hold subject to orders of Messrs. Isaac Campbell & Co., of London, or myself. But you will be at liberty to forward any portion of said cargo to the ports of destination, as per manifest, when opportunities occur, expenses of which you will in due time be refunded.

I am, dear sir, yours truly,

EDW'D C. STILES.

PORT ST. GEORGE, BERMUDA,
December 12*th*, 1862.

Captain Holmes, master of the st'r "Justitia:"

DEAR SIR: Having placed into the hands of Mr. John Bourne the bills of lading for cargo on board the "Justitia," I have to request that you will hold the same subject to his orders on my departure in the "Cornubia."

I am, dear sir, yours truly,

EDW'D C. STILES.

80 ST. GEORGE'S, BERMUDA, *Dec.* 12*th*, 1862.

Major C. Hews, Confederate States army, now in London:

MY DEAR SIR: I wrote you on my arrival at this port, which you no doubt have received. Finding this place without blockade, and hearing the fact that the admiral of the station received orders not to allow it, I determined to purchase the "Cornubia," as agreed upon before leaving London. She is a noble craft, and performed on a trial trip, as follows:

Measured distance, 4½ miles. Time, 15 m., 20 s.; revolutions; 27; steam, 21; time to complete a circle, 3 m., 30 s.; weather, strong head wind with a moderate sea.

She will consume at least one ton of coal per hour when driving her, and about 15 tons per day when making from 8 to 10 knots. She will make a magnificent gunboat or express vessel, and the chance of purchasing her should not in my judgment be lost. I have followed your instructions in all things saving a pilot, which I would not procure. I would not dare to assume the responsibility of sailing for Charleston without one, but as Wilmington, N. C., is my port,
81 and as I believe myself competent to take her there, possessing full instructions and particulars as to signals, &c., &c., I am willing to assume the responsibility; I do not doubt that success will crown my efforts. However, should misfortune befall me, rest assured that I act from what I believe to be my duty. The government has a large number of stores here, and although under the charge of Mr. Bourne, I see no chance of opening communication without doing so myself. In my opinion it would be running too great risk to sail for Nassau or any other foreign port.

I cannot enter more fully into detail at present; I will write to Messrs. Campbell & Co. by this mail, and would take the liberty of suggesting to you the immediate removal of a sort of agent they have here, named Horrold, who is interfering in every one's business. He is utterly incompetent, and will in all probability get our government and his employés into difficulty.

I will write to you again when opportunity offers, but hope to report my arrival in Dixie, and any amount of satisfactory news.

Your friend,

EDW'D C. STILES.

I should have mentioned that before concluding to proceed without a pilot, I held a consultation with Capt.'s Burroughs and Halpin, of the "Harriet Pinkney," they agreeing with me that an attempt
82 should be made to open communication. The "Harriet Pinkney" still remains here with her cargo, excepting what the "Wachuta" had on board. I see no use of keeping the "Justitia" in the same fix, and have therefore consigned her cargo to Mr. Bourne.

E. C. S.

I also enclose a copy of the receipt given for the ship, and which Captain Burroughs will forward you. Mr. Bourne will inform you or Messrs. Isaac C. & Co. of the amount drawn for by me. I have a Bermuda and Nassau pilot on board in case of trouble.

E. C. S.

PORT ST. GEORGE, BERMUDA,
December 10*th*, 1862.

Received from Thomas Sterling Begbie, esq'r, of London, by the hands of Captain John Burroughs, the British steamship "Cornubia," complete in masts, spars, rigging, machinery, boilers, boats, and all stores appertaining to the said Cornubia, as per agreement in London.

(Signed) EDW'D C. STILES.

WAR DEPARTMENT,
Ordnance Bureau, Richmond, December 24*th*, '62.

83 CAPTAIN: Having been appointed by the Secretary of War to carry out certain instructions from this bureau, dated December 24, 1862, you are hereby assigned the pay and allowance of a captain of artillery on ordnance duty, while on duty with this bureau in executing the functions assigned to you in said letter.

Respectfully,

(Signed) J. GORGAS, *Col. Ch'f of Ord.*

Capt. E. C. STILES, *on ordnance duty.*

You will be paid at the same rate from the first of November or from date of taking charge of steamer Justitia.

(Sig'd) J. GORGAS, *Col. Chief of Ordnance.*

WAR DEPARTMENT,
Ordnance Bureau, Richmond, Dec. 24*th*, '62.

CAPTAIN: You will proceed to Wilmington, N. C., and make such arrangements as are necessary to take back the steamer Cornubia to Bermuda, with the cargo of cotton, to be furnished by the Treasury Dep't for her return trip.

You are hereby authorized to make all necessary contracts
84 as to crew and finding of the vessel, communicating with the quartermaster at Wilmington, for such assistance as he can give.

On reaching Bermuda you will turn over the vessel and cargo to U. S. Walker, esq'r, or in his absence to John T. Bourne, esq.

Afterwards you will proceed to Liverpool and London, and communicate with Major Caleb Huse, relative to the purchase of a vessel such as you and he may think suitable for the purpose of carrying freight from Bermuda and Nassau to the ports of the Confederate States.

In reference to the permanent employment of pilots at Wilmington, you are authorized to make such arrangements as you consider most economical and conducive to the interests of the public service.

(Signed) J. GORGAS, *Col. Chief of Ordnance.*

Approved.

(Signed) JAMES A. SEDDON, *Sec. of War.*

Capt. E. C. STILES.

STEAMER CORNUBIA,
Wilmington, 4 *January*, 1862.

Capt. E. Styles, agent for confederate government, steamer
85 Cornubia:

DEAR SIR: In reply to yours of this date, I beg to offer my services to your government to command the Cornubia for a period of six months, on the same terms as mentioned in London, viz: £500 sterling per annum, and £500 per trip in and out, and am quite willing to sign agreement to that effect, expecting every facility at each end for loading and discharging.

I am, dear sir, respectfully yours,

(Signed) JOHN BURROUGHS.

HEADQUARTERS WILMINGTON,
Office of Chief Quartermaster, *Jan.* 10, 1863.

Colonel Wm. Lamb, com'd Fort Fisher:

COLONEL: Will you be kind enough to get Captain Stiles, of the steamer Cornubia, to sign the certificate on the enclosed bills. The steamer left so hurriedly, and the parties were so tardy in bringing in their bills, it has given us much trouble.

86 Your attention to this will much oblige yours, very truly,

(Signed) JOHN W. CARMEN, *Maj. and Ch'f Q. M.*

PARIS, *Feb.* 15*th*, 1863.

DEAR CAPTAIN STILES: I congratulate you on your speedy return. Of course I want much to see you, but I do not think I can leave Paris before Tuesday or Wednesday, and I may be detained all the week. Please, therefore, let me hear from you, and send by post any despatches you may have for me to "Hotel du Helder, Rue du Helder, Paris."

Yours truly,

(Signed) CALEB HUSE.

PARIS, 26 *February*, 1863.

CAPTAIN: I have the honor to desire you to proceed to Liverpool, England, and there confer with Commander J. D. Bulloch, C. S. N., in reference to the purchase of a steamer for the C. S. War Dep't, suitable for the service between Bermuda and the C. S. coast.

I hope that Commander Bulloch will be able to accompany
87 you in the selection of the steamer. I am sure he will afford you every assistance in his power.

Should Commander Bulloch not be able to accompany you after conferring with him, please proceed to inspect the steamers he may indicate to you, and from them select the one in your opinion best fitted for the intended service if she is for sale.

Having selected the vessel, please communicate with me, that I may make arrangements for paying for her.

As regards price, at present I cannot see how more than £30,000 can be appropriated to this purpose; still I want to have the best ship that can be procured sent to the C. S., and if you find it necessary to go beyond this limit, I will probably be able to find some plan by which the ship can be purchased.

You are fully aware of the importance of despatch in this affair, and I beg that you will lose no time in its accomplishment.

I am, captain, your ob't serv't,

(Signed) CALEB HUSE, *Major C. S. Artillery.*

Captain STILES, *C. S. Artillery, now in Paris.*

DEAR BULLOCH: Please give Stiles all the assistance you can.

C. H.

88 38 CLARENDON ROAD, *London*, 2 *March*, 1863.

CAPTAIN: Having read your instructions from Colonel Gorgas in reference to the purchase of a steamer for the C. S. government, I have the honor to inform you, that having entire confidence in your judgment, I desire you to take the whole matter of selecting a proper vessel into your own hands.

Your experience as a seaman and knowledge of the requirements of the government from personal conference with Col. Gorgas, as well as from an examination on the spot of the work to be done, render it quite unnecessary for me to encumber you with even suggestions even.

Having selected the steamer you desire to have purchased, please inform me what amount of money will be required to pay for her, that I may make the necessary arrangements.

While I desire to avoid all interference with your movements, if in any way my personal attention can be of any assistance to you, I beg that you will at once inform me.

It is of the highest importance, as you are aware, that the steamer should arrive at Bermuda at as early a day as possible. Such a steamer ought, therefore, if possible, be secured as will be able to sail at once.

89 You will please engage the necessary officers and men for the service intended, and make with them the best terms possible for the interest of the C. S. gov't.

I have the honor to be your obed't serv't,

(Signed) CALEB HUSE, *Major C. S. Artillery.*

Captain E. C. STILES, *C. S. Artillery, now in London.*

LIVERPOOL 2*d March*, 1863.

MY DEAR STILES: It was my intention to have simply sent you the enclosed specifications of A1, paddle steamers, taken from the list of Messrs. Cunard, Wilson, & Co., but as time is pressing I have thought it best to ask Mr. Wilson himself to hand them to you, as he will be thus on hand to go with you to inspect and make the purchase for you without delay. Mr. Wilson is not only fully up to his business as a ship-broker and valuer, but is all right in his sympathies, and you can deal with him in perfect confidence.

In haste, yours truly,

(Signed) JAMES D. BULLOCH.

90 DEAR SIR: Will you be kind enough to say to Major Huse that I have been detained so long in getting the purchase of the "Eugenie" completed, and the difficulty of moving along the streets is so great that I have been unable to see the parties who I expect will buy the "H. Pinkney." As Saturday will be a holiday, I find I must see them to-morrow, and will thus be unable to accompany him to Folkestone to-morrow, as promised, but will be obliged if he will call for me here in the morning in passing, as I would like to see him on other business.

Yours, very truly,

(Signed) J. A. K. WILSON,
British Hotel, 5 *Mar.*

CAPT'N STILES: If you have no further use for the particulars of the steamers I gave you, I shall be glad if you will let me have them.

BRUSSELS, *April* 3*d*, 1863.

DEAR CAPT. STILES: Mr. promptly conveyed to me your obliging message.

The letter which I enclose to the President is of a very con-
91 fidential character. It would be most hurtful to yourself if it should fall into the hands of the enemy. Therefore, I pray you, do not incur so much as the shadow of a risk with it—see that Gen. gets the one which I herewith transmit for him.

I wish you every success in life; an abundance of honorable and profitable employment. May you have a swift and agreeable passage over the waters, and find upon reaching your destination that our arms have continued to be eminently victorious everywhere.

Yours, very truly,

(Signed) A. DUDLEY MA.

Capt. STILES, &c., &c., &c.:

In a single line, please to acknowledge upon its arrival the receipt of this.

A. D. M.

71 JERMYN STREET, LONDON, S. W.,
April 14th, 1863.

Captain Halpin:

DEAR SIR: You will be pleased to consider Captain E. C. Styles, as the registered owner of the S. S. "Eugenie," and receive all commands from him from this date.

92 You are perfectly aware of the circumstances under which I became the registered owner of the "Eugenie," and as it is impossible for me to give the necessary orders, I prefer that Captain Styles should be my legal representative.

I am, dear sir, yours truly,

(Signed) SAUL ISAAC.

CONFEDERATE STATES OF AMERICA,
Executive Department, Richmond, Va., May 21, 1863.

Capt. E. C. Styles:

SIR: In compliance with your request, I, this morning, submitted to the president your note requesting an interview. He is still so unwell as to be confined to his house, but will be glad to receive your call as soon as he can do so. Suppose you call at the office between 11 and 12 o'clock to-morrow, or next day; if he is here and can see you he will. If he is at home, and unable to come down town, you might then call at his house and send your name up to him.

Very respectfully,

(Signed) BURTON M. HARRISON,
Private Secretary.

93 CONFEDERATE STATES OF AMERICA,
War Department, Ordnance Bureau, Richmond, May 25th, 1863.

Captain E. C. Styles, on government service, is permitted to go on urgent business immediately to Wilmington, over the Petersburg railroad, and assistance tending to his despatch is requested.

(Signed) JAMES A. SEDDON, *Sec'y of War.*

CONFEDERATE STATES OF AMERICA,
Navy Department, Richmond, May 25th, 1863.

SIR: You are hereby informed that the President has appointed you a lieutenant, for the war, in the navy of Confederate States. You are requested to signify your acceptance or non-acceptance of this appointment; and should you accept, you will sign before a magistrate the oath of office herewith, and forward the same, with your letter of acceptance, to this department.

Report to the Secretary of War for duty, who will arrange your pay.

S. B. MALLORY,
Secretary of the Navy.

Lieutenant EDWARD C. STILES, *C. S. Navy, Richmond, Va.*

94 *Form of oath.*

I, Edward C. Stiles, do solemnly swear or affirm that while I continue in the service I will bear true faith and yield obedience to the Confederate States of America, and that I will serve them honestly and faithfully against their enemies, and that I will observe and obey the orders of the President of the Confederate States, and the orders of the officers appointed over me, according to the rules and regulations of the navy.

EDW. C. STILES.

Sworn and subscribed before me this day of , 186 , at

708 CONFEDERATE STATES OF AMERICA,
War Department, Ordnance Bureau, Richmond, May 25th, 1863.

CAPTAIN: You will proceed immediately to Wilmington, N. C., and there take general charge of the steamer "Eugenie," now ready to sail for Bermuda; arriving at Bermuda you will confer with Norman Walker, esq're, special agent of the war department, who will be directed to load the steamer Harriet Pinkney with bacon,
95 provisions, &c., and place it in your charge, to be brought out by you to Charleston or Wilmington.

Very respectfully,
(Signed) J. GORGES,
Col. Chief of Ordnance.

Approved: (Signed) JAMES A. SEDDON, *Sec. of War.*

Captain E. C. STILES, *Richmond.*

STEAMER H. PINCKNEY,
St. George's, Bermuda, June 30th, 1863.

Hon. S. Mallory, Sec'y of the Navy, Richmond:

SIR: I have to state that I have reported to the War Depart. that I decline further to serve under their orders, owing to a difficulty which has occurred between Maj. Walker and myself. I believe that the arrangement would be to the interest of the confederate government.

I have the honor to be, very respectfully,
E. C. STILES, *Lt. Com'd'g.*

96 ORDNANCE BUREAU, *Richmond, 19th July*, 1863.

Capt. E. C. Stiles, Bermuda:

CAPT.: Y'r letter of 29th ult'o at hand duly. The War Depart. has determined that failing a cargo of provisions, you are to load the H. P. with miscellaneous stores, including some arms, say 2,500 to 3,000, (in no event a larger number than 3,000.) Under direction of Col. Gorgas, I write by same mail to Maj. Walker.

The enemy is making against Charleston a most formidable attack. So far we have repulsed them successfully.

Your ob't serv't,

(Signed) THO'S L. BAYNE,
Maj., on duty with Ch'f of Ord.

CONFEDERATE STATES OF AMERICA,
War Department, Ordnance Office, Richmond, August 4th, 1863.

CAPTAIN: Captain Wilkinson reports that he conversed with you freely as to the speed, draught, &c., of the Pinckney, and that you both concurred in the opinion that the risk of running her in would be very great. Major Walker also expressed the same opin-
97 ion. Under these circumstances it has been determined to employ her either in carrying cotton to England and bringing back stores or such other service as may be most advantageous, and Major Walker has been directed accordingly, and you will please turn the steamer over to him. It is impossible to know here, at present, what instructions as to your own duty would accord best with your views. I am mindful of the service you have rendered my department, and if I thought there was any duty connected with any of the steamers coming within the range of my authority which would suit you, I should be glad to meet your wishes. Any communication from you will meet with attention.

Very respectfully,

(Signed) J. GORGAS, *Col. Chief of Ordnance.*

Captain E. C. STILES.

Copy.

STEAMER H. PINCKNEY, *August 10th*, 1863.

Captain F. Johns:

CAPTAIN: My letter to you dated 24th July, ordering you to proceed to Halifax, is hereby annulled. You will now proceed to St. George's, take in a cargo which will be furnished you, and then proceed under my directions to such port as I may designate. Should you have any doubts as to the ownership of this vessel, as she now bears an English register, and . I am ready to make both, as to whom she really belongs, and to make such arrangements as will clear you from all responsibility in case of the loss of said vessel. As you have recognized my orders heretofore, I trust that you will continue to do so.

Yours, &c.,

E. C. STILES.

98 The Confederate States of America to Edward C. Stiles, Dr.:

Sept. 1, 1863.	To services from 1 June, 1863, to 1 Sep'r, 1863, as commander of S. S. Harriet Pinckney, at $2,550 per annum, 3 mo's	$637 50

I certify on honor that the foregoing account is correct and just, and that I have not received payment heretofore for the time above specified.

(Signed) EDW'D C. STILES.

ST. GEORGE'S, BERMUDA, 22*d August*, 1863.

Received of N. S. Walker, the sum of six hundred and thirty seven $\frac{50}{100}$ dollars, in full payment of the foregoing account.

$637 50.

(Signed) EDW'D C. STILES, *C. S. M.*

Signed duplicates.

99 [Unofficial.]

DEAR SIR: Since conversing with you yesterday, relative to the vol. navy, and details to serve in N., &c., it has occurred to me that a gentleman is now in Richmond, where he will remain for a few days, who, in my judgment is in all respects admirably qualified to command in that service. He is a lieutenant in our navy, has seen much service, and there are few men of equal capacity for this position. He also possesses uncommon information as to vessels, and where to purchase and fit them. Capt. Stiles, the gentleman in question, will deliver this.

Very respectfully, yours, &c.,

(Signed) S. R. MALLORY.

J. D. B. DE BOW, Esq're.

CONFEDERATE STATES OF AMERICA,
Navy Department, Richmond, September 28th, 1863.

Lieut. E. C. Stiles, C. S. navy, Richmond:

SIR: In compliance with your verbal request, leave of absence
100 is hereby granted you for the purpose of visiting Europe, in connexion with purchasing vessels for the volunteer navy of Virginia.

I am, respectfully, your ob't serv't,

(Signed) S. R. MALLORY, *Secretary of the Navy.*

CONFEDERATE STATES OF AMERICA,
War Department, Ordnance Office, Richmond, Sept. 28th, 1863.

J. M. Seivas, esq're, Wilmington, N. C.:

SIR: The bearer, Capt. E. C. Stiles, late in the employ of this dept., goes abroad on a mission connected with the public service. You will please, therefore, give him passage on one of the government st'rs, at the usual rates charged officers on duty.

Y'r ob't serv't,

(Signed) THO'S L. BAYNE,
Maj., on duty with Chief of Ord.

101 CONFEDERATE STATES OF AMERICA,
War Department, Ordnance Office, Richmond, Sept. 28th, 1863.

Capt. E. C. Stiles, Richmond, Va.:

CAPT.: Your letter of 26th inst. acknowledging payment of y'r salary by Major M. S. Walker at St. George's, Bermuda, up to 1st inst., and requesting that Major Walker be instructed further to pay you up to 16th inst., date at which your services to this depart. ceased, at hand.

Of even date herewith Maj. Walker is advised to comply with y'r request as above.

Your mission abroad being connected with the public service, I also advise Mr. Seixas, ag't war dep'm't at Wilmington, to give you passage at the usual rate to officers of the gov'm't on duty on one of the gov'm't st'rs.

With thanks for the zeal and efficiency displayed by you while connected with this dep'm't, I have the honor to remain, very respectfully, y'r ob't serv't,

(Signed) J. GORGAS, *Col. and Ch'f of Ord.*

102 31 BURY STREET, ST. JAMES,
London, December 10th, 1863.

The hon'ble Jno. Sliddell, &c., &c., &c., Paris:

MY DEAR SIR: Will you be kind enough to inform me at your earliest opportunity if the Confederate government would be much pleased to find that private parties here purchased bonds of the confederate gov't cotton loan, (3,000,000 st'g,) demand the cotton, and send out steamers to run it out on their account; that you have already formulated a receipt to be given in quadruplicate in exchange for such bonds lodged with you, and that these certificates, in lieu of the bonds themselves, will obtain the cotton. Is this the fact?

I believe the cotton, in terms of the bonds, is deliverable at the various ports named in the event of peace, or 10 miles inland in the event of war. Is it practicable to have this delivery at the port instead of these ten miles off at the present juncture, viz. during war, as it is a material point to parties engaging in such an operation to know that they can rely on having the cotton at the port of shipment, and not inland?

At present under the system the gov't adopt of requiring one-third of the space of each steamer to carry cotton on the gov't account, the above-named transaction becomes a very desirable one for enterprising men, and I desire to know from you whether it can be carried out with the entire sanction and approval of the confederate gov't, and with the certainty of obtaining the cotton, notwithstanding the present or future restriction of the gov't in the amount of cotton the owners are allowed to have of their own out of each cargo.

It is evident that if these operations could be carried out to any extent that the effect would be most beneficial on the price of the loan in this country, besides paying off such portion as is claimed.

I hope to visit Paris in a short time, and if all goes well with me will sail for home in about six weeks.

Judge Buchanan desires his kindest regards.

I have the honor to be, very respectfully, &c.

103 P. S.—My reasons for asking the above questions are that all the gov't vessels (excepting the Eugenie) have been captured, and we are now much in want of good steamers to carry in our military stores, &c. I have a fine opportunity of engaging four splendid steamers to carry in freights on the gov't's own terms, if it is in your power to grant the above.

EDW. C. STILES.

104 4 MANSION HOUSE PLACE,
London, E. C., 12*th Dec'r*, 1863.

Capt. E. C. Stiles, 31 Bury st., St. James, S. W.:

MY DEAR SIR: If you receive Mr. Slidell's reply I shall feel obliged by your acquainting me of its nature as early as you can on Monday, for since I had the pleasure of seeing you my scheme for the four st'rs is nearly all taken up as to subscriptions.

Yours, very truly,
(Signed) THOS. STERLING BEGBIE.

4 MANSION HOUSE PLACE,
London, E. C., 14*th Dec'r*, 1863.

MY DEAR SIR: Will you kindly let me have a copy of Mr. Slidell's official letter which he wrote to you, and which we read to day? I shall not part with it, and it strengthens my position here.

Yours, truly,
(Signed) T. STERLING BEGBIE.

105 PARIS, *Dec'r*, 17*th*, 1863.

Mess. the Hon'l. John Slidell and Gen'l McRea:

GENTLEMEN: I beg to submit for your favorable consideration the following proposal:

I have four fast steamers, of which I annex particulars, which are nearly complete, viz:

1st. Screw, leaves Clyde next week; 2d. Screw, leaves Clyde 14 days thereafter; 1st. Paddle, leaves London 15th, 20th Jan'y, '64; 2d. Paddle, leaves London 15th, 20th Feb., '64.

I wish to obtain an engagement from you, gentlemen, that upo my depositing bonds of the confederate government £3,000,000 st' cotton loan, in your hands, I shall receive certificates for similar amounts in quadruplicate, which shall obtain cotton as effectually as the bonds deposited with you; that you undertake that entire cargoes shall be allowed to be brought on the steamer's account, in lieu of two-thirds of a cargo, as at present; to bring out, in fact, an entire cargo on owner's account, without restriction, the amount of carriage of the cotton from its place of deposit to the port of loading being paid by the owners. The steamers to run to Bermuda or Nas-

sau, as your government may desire, to be placed entirely at their disposal for the freight inwards, on such terms and rates as shall be arranged on the other side by the confederate government agents, the captains not to be compelled to carry more freight than
106 they consider desirable. If no gov't freight or not sufficient is ready when the steamers propose leaving, the owners to have the power to take merchants' freight for such portion as the government may not require. The foregoing proposal is made to you on behalf of the Albion Trading Company, (limited,) of which T. Sterling Begbie, of 4 Mansion House, London, is the manager.

PARIS, *Dec.* 17*th*, 1863.

We, the undersigned, agree to enter into a contract to the above effect with the said company so soon as the necessary papers can be drawn up, with the following modification: The inward freight to be at the rate of £8 p'r ton of 2,240 pounds dead weight, or 40 cubic feet measurement for light goods; said freight payable in cotton at Wilmington or Charleston, as the case may be, on the arrival of the vessel or by bills on Liverpool at sight, at the option of the conf. gov't.

This agreement to be binding on both parties for the space of eight months from the 1st Janu'y, 1864.

JOHN SLIDELL,
C. J. McREA, *Ag't and C.*

Screw steamer built at Glasgow by Barclay, Curle & Co.; hull and machinery; 180 f't length between perpendiculars; 22 f't
107 beam; 12 f't depth of hold; 430 tons, B. m.; capacity of holds, 300 tons; bunkers, 8 days' fuel; will bring out 650 bales of cotton; a pair of geared engines of 100 h. p.; nominal speed, 12 knots, with 25 lbs. steam at trial, which speed can be maintained on the other side at the extra pressure they work at when required, and for which ample provision is made in large boilers, condensers, &c.

Paddles built by Ash, machinery by Stewart, both of London, 23 ft. long by 26 beam by 13.6 depth of hold; capacity of holds about 500 tons; bunkers, 7 days' fuel; will bring out 1,200 bales cotton, a pair of oscillating engines, feathering floats, 300 H. P. nominal, will indicate 1,700 H. P.; speed at the trial 16 knots; speed loaded, viz., 10 ft., 14 knots, both specially built and arranged for blockade work and commanded by well tried first-class men.

PARIS, 12*th Dece'r*, '63.

E. C. Stiles, esq're:

MY DEAR SIR: I have yours of 10th inst. I have no hesitation in saying that the confederate government will give every possible facility for the shipment of cotton that may be delivered to the
108 holders of bonds in payment—of course to do so it must afford the means of transportation—from the point of delivery to the port of intended shipment. The cost of transportation (a very small matter) would necessarily be paid by the owners of the cotton. I

am prepared to give in exchange for bonds presented to me to be cancelled quadruplicate receipts, which will be received by the confederate government in lieu of the bonds. I have no doubt that steamers carrying freight for the account of our government will be permitted to carry out full cargoes of cotton for owners account without any reservation in favor of the government.

Very respectfully, your ob't serv't,

(Signed) JOHN SLIDELL.

Pray present my kindest regards to Mr. and Mrs. Buchanan, whom all their confederate friends in Paris miss so much.

Private and confidential.

4 MANSION HOUSE PLACE,
London, 14*th Dec.*, 1863.

Capt. E. C. Styles, Bury st., St. James:

MY DEAR SIR: Enclosed I beg to hand open cheque for £100
109 in terms of your request here to-day at 1.20.
good enough to telegram me to-morrow from Paris whether I should go to-morrow night or Wednesday night to Paris.

The other people I mentioned to you desire me to call to-morrow, probably trying to twist this considerable scheme their own way. Your presence at Paris may make all matters clear, as the way I put it, it is a clear and straightforward transaction important to your govern't, and favorable to them as much as to myself.

Yours truly,

(Signed) THOS. STERLING BEGBIE.

Private.

4 MANSION HOUSE PLACE,
London, 7*th January*, 1864.

Capt. H. C. Stiles, Hastings:

DEAR SIR: I have your message at 4.30 p. m. "If you think it right, close telegraph by Brighton and south coast."

Mr. Talley has been here, and I have shown him your message; he says buy at once; but as it is too late to telegram to Glasgow to-night and to see builders, I write to you before doing anything, and I wire Knox that I write him to-night.

110 Before closing this I beg to call your attention the considerable risk that there is in altering this craft by removal of the poop and topgal't forecastle. Is this, think you, compensated for by the advantage gained? My superintendent is of opinion that the danger of suspicion and seizure will be very great; except going head to wind, there will be no perceptible gain in speed by removal of the poop. The price I consider high as compared to cost, but perfectly fair market value at present.

If I am to close it should be understood how I am to stand as to remuneration and the payment. The former I put at 2½ p'r cent. commission on the amount of payments; the latter to be £5,000

on committing myself to the purchase; £9,000 (about) on the 18th inst., and the balance of contract and outfit, &c., in cash on delivery. I await your telegram to-morrow morning; and if ordered therein to act I shall write Knox, who will be at the hotel waiting for my message to buy or not. If buying, my superintendent should go to Glasgow to-morrow night.

I am, dear sir, yours, faithfully,
(Signed) THOS. STERLING BEGBIE.

PARIS, 28 *June*, 19 *Rue du* .

111 Capt. E. C. Styles:

MY DEAR CAPTAIN: I have not sooner answered your letter of 15th inst. because I have been expecting the pleasure of seeing you here.

The person who told me that the destination of your ship was known to many persons spoke in no unfriendly spirit. The fact is by no means surprising, as the object of your visit to Europe must necssarily have been known to several persons in Richmond and to others in London. I know from experience how difficult it is to keep anything secret when even but a few persons have been entrusted with it. My object in saying what I had heard was to put you on your guard. Do you still intend to take the next steamer to Halifax? and will you visit Paris in the meanwhile?

Pray present my best regards to the Buchanans, and believe me,
Very truly, yours,
(Signed) JOHN SLIDELL.

4 MANSION HOUSE PLACE,
London, E. C., 28th May, 1864.

Capt. E. C. Styles:

MY DEAR SIR: I am arranging to despatch Hawk Tuesday week, which gives you to-day's mail and New York and Nassau ar-
112 rival, as also Bermuda mail, next Monday week per Cunard.

If you have any money lying by you it will be convenient for me to receive it just now; the guns having lost the last craft cannot leave this before the 8th or 10th prox'o, when they are to be shipped.

You will be sorry to hear that Minnie has been captured, coming out on 9th, by the Connecticut. My luck is inf—l.

Yours truly,
(Signed) THOS. STERLING BEGBIE.

PARIS, 3 *June*, '64.

Capt. E. C. Stiles:

MY DEAR SIR: I am very much obliged to you for your kind offer to take charge of any thing I might wish to send to the confederacy, but at this moment I have no occasion to avail myself of it.

I was prepared to hear of your having trouble about your ship, as I heard some weeks since the precise motive of your expedition spoke of, and on my expressing surprise that it should be known, was told that it was a matter of notoriety both at London and Liverpool. I

mention this that you may not suppose that you have been interfered with on mere vague suspicion, and you will see the necessity
113 of extreme caution in your movements, and of perfect silence on the part of your subordinates.

With best wishes for your welfare and success,

Yours truly,

(Signed) JOHN SLIDELL.

Who is the pretended confederate who interests himself in your movements?

4 MANSION HOUSE PLACE,
London, 28*th Oct.* 1864.

Capt. Stiles, 20 George st., Hanover square:

MY DEAR SIR: Pray let me have your written authority to sell the guns, &c., at Bermuda, which will enable me to write one to-morrow, also a note to Archer, whom I shall request to endeavor to effect sale as we spoke of to best advantage. I leave the city at 12 to-morrow; back at 4 p. m.

Yours truly,

(Signed) THOS. STERLING BEGBIE.

114 4 MANSION HOUSE PLACE,
London, 29*th October*, 1864.

Capt E. C. Stiles, 20 George st., Hanover square, W.:

MY DEAR SIR: I regret you should have misunderstood my note. I therein stated that I left at 12 noon, but returned at 4 p. m. I have your letter of to-day, and note that you decline to allow the guns, &c., to be sold. Be it so as arranged. I write out by the mail to-night to the ag'ts and Capt. Cobby to load Hawk and return to L'pool with the least possible delay.

I am, my dear sir, yours truly,

(Signed) THOS. STERLING BEGBIE.

PARIS, 27 *Feb'y*, '65.

Capt. E. C. Stiles:

MY DEAR SIR: I am very much obliged to you for your kind offer to take charge of despatches, but I have already confided them to Capt'n , who will be a fellow-passenger with you from Southampton.

Wishing you a safe voyage to the confederacy, yours truly,

(Signed) JOHN SLIDELL.

115 4 MANSION HOUSE PLACE,
London, 1*st March*, 1865.

Capt. E. C. Stiles and D. T. Talley, esq'r, 15 Bury, st., St. James, S. W.:

DEAR SIRS: With reference to the large amount due to me for the S. S. Hawk, as stated in account made up to the 11th Jan'y, '65, which has been vouched by you and found correct, and in respect to the payment of which sum (£11,212 3*s.* 7*d.* st'g) as it appears to me

probable that the large sacrifice of this property has arisen solely from the inability of the purchasers for whom you have acted being unable to obtain sterling bills to remit. It further is evident that if they found this difficulty in remitting to you in 1864; the difficulties in obtaining sterling will henceforth be very much increased. I assume that it cannot be their intention to throw on me such a heavy loss, seeing that I have acted throughout in this transaction singly as your bankers, on a commission of 2½ per cent., and I therefore beg to suggest that if you find it impossible to obtain and remit me sterling amount, that you arrange it in some other way. If you cannot get the amount or part of it remitted to me I am willing to receive payment of the balance in cotton, middling in good condition, located at some safe point or points, not over 200 bales at any one point, at the price of 4*d.* p'r lb. st. The last cotton I bought at Wilmington, press packed, cost me ¾*d.* p. lb., and at the present price of the cotton loan here
48 49, cotton not liable to any export duty beyond the ⅛th
116 of a cent p'r lb. is just under 3*d.* p'r lb. I would particularly call to your attention the desirability of having this cotton at various stations, so as to avoid the risk of capture by the enemy or destruction at their approach, and beg that you will send me home proper certificates of the cotton, that I may claim it hereafter; which certificates you will take in quadruplicate.

Wishing you a speedy and successful passage across the Atlantic and into the confederacy,

I am, dear sir, yours truly,

(Signed) THOS. STERLING BEGBIE.

HAVANA, *April 1st*, 1865.

Capt. E. Stiles, C. S. navy, has permission to proceed to Galveston on the steamer Owl.

(Signed) CH. J. HELM.

HOUSTON, *April 5th*, 1865.

Capt. Moore, S. S. Wren, Galveston:

117 SIR: Mr. John Williams will with this make known the object of his visit.

Mr. Williams is desirous of visiting Havana, and applied to me for passage; but as I have made it a rule not to interfere with the management of the gov't ships leave the matter entirely with you.

Very respectfully,

(Signed) HENRY SAMPSON.

[HEADQUARTERS DISTRICT OF TEXAS, NEW MEXICO, AND ARIZONA, *Houston, April 12th*, 1865.

[Special Orders No. 102.]

Capt. E. C. Stiles, C. S. N., and James Craig will be permitted to proceed to Galveston to see the major gen'l com'd'g and return. Furnish transportation.

By command of Major Gen'l Magruder.

(Signed) STEPHEN D. YANCEY, *A. A. G.*

Transportation Houston to Galveston.
(Signed) N. A. DOUGLES, *Capt.*

Pass to Galveston.
Houston, April 12, '65.
(Signed) E. J. STANLEY, *P. C.*

Pass to Houston.
April 18, '65.
(Sig'd) F. S. DOUGLES,
Cap. and Pro. Marshal,
By G. T. GRANGER.

118 HOUSTON, *April 27th*, 1865.

Cap. J. Marcy, S. S. Lark, Galveston:

SIR: Capt. Stiles and Lt. Craig desire a passage on your ship to Havana. I presume these gentlemen will be satisfied with a berth on a bale of cotton. If so, grant it.

Respectfully,
(Signed) HENRY SAMPSON,
Treas. and Ag't F. S. O.

H'DQ'RS DEFENCES OF GALVESTON, *May 3d*, 1865.

Capt. Styles, C. S. navy, will be permitted to pass within the city limits and to and from the steamer Owl at pleasure until further orders.

By command of Col. A. Smith.
(Signed) WM. TYLER, *A. A. G.*

119 HEADQUARTERS DIST. OF TEXAS, NEW MEXICO, AND ARIZONA,
Office Chief of Artillery, Houston, May 10th, 1865.

MY DEAR CAPTAIN: I am quite in despair about the condition of the Blakely guns, recently sent in on the Wren. As usual, they came in unserviceable condition; the carriages have been left in the Havana.

I have written to Major Helm on this subject, as well as about the ammunition for the Whitworth guns, which should have been sent by the Wren. I will consider it a great favor if you will impress upon Major Helm the great importance of getting in these stores without loss of time, as we may be obliged to abandon Galveston at any moment.

Is there no hope of getting the heavy Whitworth guns?

The news continues to be bad. Rumors this morning are to the effect that Johnson has surrendered. L't Gen'l Buckner has been announced as chief of staff of the dep't, and Gen. Smith informs us that he has peremptorily refused the summons of the federal com'd'r at New Orleans for the surrender of the dep't.

If you have time, drop me a line on the subject of the guns and ammunition.

I enclose a mem. for my cab, which I did not have a chance to give you before leaving.

120 Please remember me most kindly to Com'd'r Barrow, if you should see him, and believe me,
Very truly yours,
(Signed) G. F. MAGRUDER, JR.

I have just learned that Helm has been relieved by Mr. Heiliger, who will, I presume, receive my letter.
Com'd'r STILES, *C. S. Navy.*

Confederate States of America, headquarters dist. of Texas, New Mexico, and Arizona. Official business. Col. Ch's J. Helm, C. S. agent, Havana. Politeness of Commander Stiles, C. S. N.

121 ENROLLING OFFICE,
Charleston Dist., May 26th, 1864.

This certifies that Conscript T. R. McGahan has reported at this office, and been accepted for light duty by the medical board. He is permitted to remain in the employment of the South Carolina Railroad Company until further orders, pursuant to instructions from the commandant of conscripts for S. C.
(Signed) L. M. GRIST,
Capt'n and E. D. for Charleston Dist.

HEADQUARTERS DEPARTMENT OF SOUTH CAROLINA, GEORGIA, AND FLORIDA, *Charleston, S. C., Oct. 22d,* 1864.

T. R. McGahan, regularly enrolled and assigned to light duty in consequence of deceased lungs, has permission to sail from this port, upon any vessel bound for Nassau or the West India Islands, he having been authorized to do so by the parties to whose employment he has been assigned.
By command of Lieut. Gen'l W. J. Hardee.
(Signed) JNO. F. LAC, *A. J. Gen'l.*

122

GENERAL SUPERINTENDENT'S OFFICE SOUTH CAROLINA RAILROAD,
Charleston, S. C., November 22d, 1864.

Mr. Thomas R. McGahan, an employé of the South Carolina Railroad Company, being in bad health, has leave of absence from his duties until his health is restored.
(Signed) H. F. PEAKE, *Gen'l Sup't.*

HAVANA, *March 26th,* 1865.

Major Gen'l N. J. Walker, com'd'g Texas, &c., &c., Houston:

GENERAL: Permit me to introduce to you Mr. T. R. McGahan, who visits Texas on business which will in some degree interest you. Mr. McGahan represents the two steamers Badger and Fox, to sail for Galveston on to-morrow; is brother-in-law to Mr. J. B. Lafitte, of the firm of Messrs. Frazer, Trenholm & Co., and is himself entitled to your friendship and full confidence. Any advice, attention, or kindness you may extend to Mr. McG. will be esteemed a personal favor to your friend and obed't serv't.
(Signed) CH. G. HELM.

NASSAU, *N. P., March 28th*, 1865.

123 T. R. McGahan, esq., Havana:

MY DEAR SIR: Your esteemed favor of 22d inst. came duly to hand and contents are noted. I have not as yet been able to duplicate my purchase of quinine, but may be able to do so in the course of to-day or to-morrow, and if I succeed, will ship it by the Corsica. We were truly happy to receive news from home, and Euphrosine will write to Mr. Blois by the Corsica. I will send funds to Eugenie, so that should Emma go to New York, she will be able to get all the money she may need. I presume you will have left Havana ere this reaches there; if so, it will be forwarded to you at Galveston. We still propose leaving on the 26th prox'o, and I have requested Col. Helm to engage apartments for us. I have nothing whatever of interest to communicate, except that we are all well and anxiously awaiting the advices due by the Corsica to-morrow.

Please say to Capt. Brown, Mr. Holmes, and Mr. Thompson that I have received their letters, for which I thank them, but do not write to them, as they will have probably left Havana. I hope the Fox and Badger will make a successful voyage, but I doubt if they
124 will be able to make a second one. Our last quotations of cotton from Liverpool is 18½d. for middling uplands. I would, therefore, prefer that you should not buy cargoes for the Fox and Badger, if any other arrangement can be made. I hope their cargoes will sell well, but if you can make prompt sales to cover costs, payable in undoubted sterling exchange, I would prefer selling at once to holding.

Marie is writing to you, and Phrose and Virginia send their love to you.

Believe me yours, truly,
(Signed) JNO. B. LAFITTE.

Per Imogene:

NASSAU, N. P., *April 10th*, 1865.

Mr. T. R. McGahan, Galveston:

DEAR SIR: Your esteemed favors of 26th ult'o and 2d inst. are to hand and contents duly noted. I congratulate you upon your narrow escape, and would advise you to take the Badger on your return. I presume we will be in Havana by the time you get there, as we will leave here on the 26th inst., and Havana on the 6th of May.
125 Cotton in Liverpool declined at one time to 15½d.; our last quotations are 17d. for middling uplands. I have no new instructions to give you in relation to the business of the boats, except that it is extremely desirable that you should, if possible, avoid drawing upon Herresa & Co., or Fraser, Trenholm & Co. If you cannot sell the inward cargoes, I would prefer that you should take a full cargo even at 5d. per lb., or take cargo from private shippers at one-half for the other, even if you have to give to the gov't the steamer's half. I trust, however, that you will be able to sell the inward cargoes; I would prefer them sold at cost in preference to leaving them in the country unsold.

It is my present intention to give up the business altogether, and to send the ships back to England should they get out all safe. I have received the Col. Lamb's disbur'ts acc. Her expenses in Havana were frightfully heavy, and I fear those of the Fox and Badger were also very large. I must beg of you to do all you can to reduce expenses, for if successful there will be little or no profit on the voyage.

We have had no news from home since you left. We have northern advices to the 1st, which are neither encouraging nor otherwise. A great battle has probably been fought ere this, by which the fate of Richmond has doubtless been decided one way or the other.

We are all quite well at home, and I enclose a letter from Marie.

Hoping to meet you in Havana, I remain

126 Truly yours,

(Signed) GEO. B. LAFITTE.

I sent funds to Eugenie, and requested her to furnish Emma with whatever she may need should she go to N. Y.

127 Capt. Moore, steamer "Wren:"

Please receive on board following:

20 (twenty) bales bagging.
[B] n 25 (twenty-five) sacks nails.
5 (five) sacks horse-shoes.

The mate will also please give lighterman receipt for effects shipped yesterday by C. G. Ramsay.

Habana, 23 Marzo, 1865.
For C. G. Ramsay—
(Signed) FRANCIS PARENT.

2 bales bagging in bad order.
(Sig'd) W. H. CLASSAU, *Master.*

Captain Raisbeck, st'm'r "Wren:"

Please receive on board ste'm'r "Wren," in good order and condition, following from Messrs. Vignier, Robertson & Co.:

SK 5–7, No. 10; [O] 36–40; [S] 64; [S] 221–224; [S] 49–54.
20 (twenty) cases medicines.

Havana, 15th March, 1865.
(Signed) F. V. PARENT.

128 *Abstract of acc. made in Havana 1st April, 1865—original and vouchers left with Maj. C. J. Helm, C. S. agent No. 12 Calle Mercacaderes, Havana; signed D. D. Talley, for Capt. E. C. Stiles.*

Three bills protested	£612	0	0
One bill protested	50	0	0
First payment on S. S. Hawk	8,500	0	0
Second payment on S. S. Hawk	6,000	0	0
Third payment on S. S. Hawk	1,500	0	0
Fourth payment on S. S. Hawk	3,606	5	0
Mrs. Preston, board, &c	67	11	10

Paid for company's books	100	7	2
E. R. Archer	135	9	6
D. D. Talley	89	10	9
Dinners, &c.	46	17	6
John Knox	78	15	0
E. R. Archer	107	8	8
Capt'n Stiles	253	14	0
C. D. Talley	80	7	1
D. D. Talley and Capt'n Stiles from 1st Oct'r to 1st Feb'y, board	300	0	0
	21,537	6	6
Secret fund	300	0	0
D. D. Tally, board at Camdentown	120	0	5
Expenses, &c., Paris, Cap. Stiles and Talley	30	0	0
J. Knox, Archer, and Talley to Glasgow	40	0	0
Cap. S. and Talley to L'pool	15	0	0
Office rent, &c			
Full amount sterling	23,349	12	2

Indorsed: Abstract for Capt. E. C. Stiles, Havana, April 1st, 1865. D. D. T.

129 UNITED STATES OF AMERICA:

District court of the United States, southern district of Florida.

THE UNITED STATES
vs.
THE STEAMER WREN AND CARGO. } Stipulation.

It is agreed between the district attorney, on behalf of the United States, and the proctor for the claimants, on their behalf, that, in order to avoid an accumulation of papers in the record of this case for the Supreme Court, not necessary to the determination of the cause, that the following papers, as marked on the prize commissioner's schedule of papers returned in this case, be omitted in making up the record, to wit:

Schedule E.

No. 1. Letter addressed John Hanckel, Charleston, S. C.
2. Letter addressed Rev. J. S. Hanckel.
3. Letter addressed E. W. Chapman, Greenville, S. C.
4. Letter addressed C. F. Hanckel, Charleston, S. C.
5. Letter addressed B. F. Morse, Charleston, S. C.
6. Letter addressed Ch. Hanckel, D. D.
7. Letter addressed Edw'd Chaffin, surg. Hine's division, Maj. Gen'l Wheeler's corps, army of Tennessee.
8. Six photographs and notice of Gen'l Polk's funeral.
9. Bill.

10. Memorandum book.
12. Bill ag't Cap. Stiles, bot of Jas. Medwin & Co., London.
13. Military pass for Cap. Stiles to pass from Richmond to Wilmington, (signed) B. Duncan for Maj. Gen'l Whiting, Sep. 10th, 1861.

130 14. Eight visiting cards.
15. Bill against E. C. Stiles in acc't Cunard, Wilson & Co.
16. Bill of exchange.
17. Military pass for Cap. Stiles by E. Grimald, pro. marshal, Sep. 22, '63.
18. Pro. marshal pass for Cap. Stiles and ten others to pass the lines.
19. Photograph.
20. Business card.
21. Copy of a description of a steamship building at Renfrew.
22. Bill against Cap. Stiles in acc't with John S. Brown, St. George's, Bermuda, Dec. 13, 1862.
23. Receipt from J. S. Brown in favor of Capt. Stiles for the sum of £75 at St. George's, Bermuda, Dec. 14, 1863.
24. Hotel bill.
25. Letter addressed E. C. Stiles, consul U. S. of A. at Vienna.
26. Bill Vienna, Nov. 26,1860.
27. Bill Jan'y 14, 1861.
28. Card.
29. Memorandum book.
30. Eleven bills dated Oct. 31, 1859.
31. Bill in 1860.
32. Letter from Jas. Buchanan to E. C. Stiles, Wheatland, Sep. 3, '61.
33. Bill.
34. Card.
35. Envelope directed John Frazer & Co., Columbia, S. C.
36. Memorandum book.
37. Almanac and memorandum book.
38. Letter from Stiles's wife.
39. Letter addressed Cap. Stiles from Fline Maffit, dated Fayetteville, N. C., Sep. 22, 1863.
40. Masonic pass dated San Francisco, Sep. 30, 1853.
41. Portfolio.
42. Pocket-book.
43. Portfolio containing letter writing paper.
44. Portfolio containing blotting paper and Paris fashions.
46. Laurie's collection of maritime flags.
47. Book—relates U. S. consul business.
48. Metal plate.

131 Schedule F:

No. 1. American passport given by W. L. Marcy to Ferdinand L. Larcunto, dated Washington, Sep. 2, 1856.

No. 2. Letter addressed Cap. Stiles, from Cunard, Wilson & Co., Nov. 2, '63.

3. Copy of letter written by Alex. Collie.
5. Letter from Alex'r Collie.
6. Card of Christian Schuller.
7. Letter addressed Cap. Stiles, f'm Cunard, Wilson & Co., Dec. 31, '63.
8. Letter addressed Cap. Stiles, from Cunard, Wilson & Co., Dec. 8, '63.
9. Description of "Phœnix."
10. Bill against Cap. Stiles, Nov. 13, '63.
11. Bill against Cap. Stiles, Jan'y 27, '62.
12. Description of Amphion.
13. Description of Reinard.
14. Letter addressed Cap. Stiles from Cunard, Wilson & Co., Nov. 19, '63.
15. Cast acc't between E. C. Stiles and G. I. Lewis, at Phil'a, Nov. 19, '55.
16. Bill against Cap. Stiles.
17. Letter to Cap. Stiles, f'm Cunard, Wilson & Co., Nov. 3. '63.
18. Letter to Cap. Stiles, f'm Cunard, Wilson & Co., Nov. 11, '63.
19. Manifest of brig Peidmonte—Stiles, master.
20. Bill against Cap. Stiles.
22. Letter addressed Cap. E. C. Stiles, by John Bennengt, Dec. 1, 1863.
23. Bill against Capt. Stiles.
24. Bill against Cap. Stiles.
25. Envelope directed E. C. Stiles, on ordnance duty.
26. Letter addressed John Wilkie from Cunard, Wilson & Co.
27. Letter addressed Cap. Stiles from Cunard, Wilson & Co., Nov. 12, '63.
28. Letter addressed Cap. Stiles from Cunard, Wilson & Co., Nov. 16, '63.
29. Letter addressed Cap. Stiles from Cunard, Wilson & Co., Nov. 25, '63.
30. Letter addressed Samuel S. Harrison, pres't V. V. navy, not signed.
31. Bill against Cap. Stiles.
32. Letter addressed Cap. E. C. Stiles from I. Wabet, Nov. 12, '63.
33. Bill against Mrs. Beverly Tucker, Aug. 7, '63.
34. Bill in favor of Trott & Atwood, Aug. 7, '63.
35. Bill against Laura H. Tucker, Aug. 7, '63.
36. Bill against Mrs. Beverly Tucker, Aug. 7, '63.
37. Bill against Cap. Stiles, Aug. 22, '63.

132 38. Note speaking of the Burnside expedition, no date.

39. Letter addressed Cap. E. C. Stiles by H. Burden, Aug. 6, '61.
40. Bill against E. C. Stiles.
41. Bill against E. C. Stiles.
44. Letter addressed E. C. Stiles by Elisha Whitney, Jan. 3, '62.
45. Card advertising sailing of steamer Hawk.
46. Description of some vessel.

47. Letter addressed E. C. Stiles by Elisha Whitney, Oct. 30, '61.
48. Letter addressed Cap. Stiles by Saul Isaac, Mar. 31, '63.
49. Receipt for coal on steamship Eugenie.
50. Letter addressed Cap. Stiles by Saul Isaac, Ap'l 18, '63.
51. Agreement between J. C. C. Moor, branch pilot, and the war dep't.
51. Rating of a chronometer.
53. Bill against Cap. Stiles.
54. Letter addressed E. C. Stiles by E. W. Butler, jr., Sep. 18, '59
55. Letter addressed to Stiles by L. Stamp, , 1856.
56. Acc't between E. C. Stiles and Rob't Martin & Co.
58. Copy of a letter addressed to Messrs. Oscar Prolss & Co. by E. Whitney.
59. Power of attorney, Jan. 15, '55.
60. Disbursem'ts of British steamer Eugenie, Ap'l 24, '63.
61. Receipt in favor of Cap. Stiles for £15 in gold.
62. British passport granted Louis Mortimer, Sep. 28, '59.
63. Lease of house and furniture, Oct. 17, '55.
64. Agreement between E. C. Stiles and L. M. Broadwell in reference to procuring a patent, Aug. 25, '59.
65. Bill against Stiles.
66. Receipt for rent, Jan. 21, '56.
67. Receipt for rent, Dec. 19, '55.
68. Bill against Mr. Stiles, Dec. 31, '55.
69. Cast acc't between E. C. Stiles and I. Lewis, Nov. 19, '55.
70. Bill against Mrs. Shubrick, July 30, '55.
71. Receipt, Nov. 24, '55.
72. Receipt for rent, July 17, '56.
73. Receipt for rent, Feb. 17, '56.
74. Bill and receipt against E. C. Stiles.
75. Bill against E. C. Stiles, April 30, '55.

133 76. Receipt for rent, Nov. 2, '55.

77. Bill against E. C. Stiles, Nov. 26, '55.
78. Bill against Stiles's estate, Jan'y 1st, '56.
79. Bill against Mr. Stiles.
80. Receipt in favor of Cap. E. C. Stiles.
81. Patent transferred to Stiles from Henry Burden.
82. One package of six sheets, containing acc't between E. C. Stiles and Isaac Campbell & Co., Ap'l 11, '63.
83. Letter addressed E. C. Stiles by Jno. A. Jones, Aug. 9, '61.
84. Letter addressed John A. Jones, Sep. 1st, '61.
85. Description list from Richardson, Buck & Co.
86. Description of vessels from Cunard, Wilson & Co.
87. Pamphlet of standard weights, &c.
88. Rules and regulations of army and navy club.
90. Fifty-cent bill on State of North Carolina.
91. Twenty-five-cent bill on Augusta Savings Bank.
92. Letter addressed Cap. Stiles Hastings by E. J. Padden.
93. Letter addressed Cap. Stiles Hastings by T. S. B., Jan. 23, '64.
94. Letter addressed E. C. Stiles by L. M. Broadwell, Feb. 19, '62.

95. Bill against Cap. Stiles, Jan. 10, '63.
96. Letter addressed my dear Ned by Bess Nesey.
97. Letter addressed my dear Ned by Bess.
98. Letter addressed my dear Ned by Bess.
99. Letter addressed E C. Stiles by C. M. Wilcox.
100. Note addressed E. C. Stiles by J. R. Value.
101. Letter addressed E. C. Stiles by A. B. Carwin & Co.
102. Letter addressed A. B. Carwin by James Findlay.
103. Bill against Cap. Stiles.
104. Letter from Vienna dated Feb. 20, '62.
105. Letter addressed to Mr. Stiles from his sister Mary B. Lipen.
106. Letter addressed to Mr. Stiles from Mary B. Lipen.
107. Letter addressed to Mr. Stiles from L. M. Broadwell.
108. Letter addressed to Mr. Stiles from L. M. Broadwell.
109. Invitation card.
110. Envelope directed Cap. E. Stiles.
111. Letter addressed Cap. E. C. Stiles from W. F. Ber-
134 crew.
112. Letter addressed Cap. E. C. Stiles from S. Isaac Campbell & Co.
113. An instrument executed in San Francisco, Cal.
114. Envelope directed to Mr. Stiles, Consul U. S., Vienna.
115. Envelope directed on E. C. Stiles, U. S. consul, Vienna.
116. Receipt in favor of E. C. Stiles.

Schedule G:

No. 2. Receipt.
3. Military pass.
4. Letter addressed E. C. Stiles by Leopold Burworth.
5. A U. S. protection given Stiles by U. S. Sect'y, Sep. 22,'56.
6. Spanish regulations for captains and supercargoes.
14. Letter addressed E. C. Stiles by Elisha Whitney.
34. Night and day signals for st'r Columbia and Cap. Stiles's vessels.
38. Order to railroad officers.
40. Bill contracted by st'r Columbia approved by Stiles.
41. Military order.
44. Letter of introduction to Stiles from Emile Erlanger.
45. Letter addressed Jno. T. Browne by Cap. Stiles.
47. Note addressed to Cap. Stiles from Jno. T. Browne.
49. Letter addressed Cap. Stiles by T. S. B.
50. Letter addressed Cap. Stiles by Cunard, Wilson & Co.
51. Letter addressed Cap. Stiles by Cunard, Wilson & Co.
52. Letter addressed Cap. Stiles by N. J. Walker.
53. Letter addressed Cap. Stiles by Alex'r Collie.
55. Letter addressed Cap. Stiles by Cunard, Wilson & Co
56. American passport given by W. L. Marcy, Ap'l 2, '56.
57. Letter addressed A. M. Weir by B. Weir.
58. Bill against Cap. Stiles.
60. E. C. Stiles in acc't with V. V. navy.
62. Naval order for Louis McGreger (signed) S. R. Mallory.

65. Bill against Cap. Stiles.
66. A communication f'm S. R. Mallory to Louis McGreger.
69. Bill.
70. Letter of introduction f'm Jno. D. Hammersley to Jas. W. Stuvellen.
72. Telegraph despatch.
135 73. Transportation ticket.
74. Military pass.
76. Letter addressed E. C. Stiles by E. R. Archer.
77. Insurance policy in favor of Mr. Stiles.
78. Bill against Mr. Stiles.
79. Photograph.
80. Letter addressed Cap. E. C. Stiles by R. B. Pegram.
81. Letter addressed Cap. E. C. Stiles by Tho's Sterling Begbie.
86. Envelope directed E. C. Stiles Hastings, Sussex.
87. Envelope directed to E. C. Stiles, late U. S. consul, Vienna.
88. Envelope directed E. C. Stiles, &c.
89. Envelope directed to Louis McGreger, Richmond.
90. Envelope directed E. C. Stiles, Lt. C. S. navy, Richmond.
92. Envelope directed Cap. L. Marcy, S. S. Lard, Galveston.
94. Envelope directed E. C. Stiles, appointment, orders, &c.
95. An act of Congress establishing a vol. navy.
96. One package of 12 sheets giving descriptions of vessels in Liverpool by Cunard, Wilson & Co.
97. One package of 10 sheets giving description of vessels in Glasgow by John Wilkie.
98. Memorandum book.

Schedule H:

No. 2. Letter addressed E. G. C. Stiles by Fred. Banks.
3. Letter addressed Cap. Stiles by S. Isaac Campbell & Co.
4. Descriptive memorandum of some boat.
5. Envelope directed Cap. E. C. Stiles.
6. Acc't and receipt from S. Isaac Campbell & Co.
8. Letter addressed Capt. Stiles by Tho's Sterling Begbie.
10. Bill against Cap. Stiles.
11. Bill against Cap. Stiles.
12. Bill from W. H. Cremer, jr., Jan. 27th, 1864.
13. Letter addressed Cap. Stiles from D. D. Talley.
14. Letter addressed D. D. Tally from Cap. Stil es.
15. Letter addressed Messrs. Cunard, Wilson & Co., Liverpool.
136 16. Letter addressed Cap. E. C. Stiles from D. D. Talley.
17. Letter addressed Cap. Stiles from a lady friend.
18. Letter addressed Cap. Stiles from his sister.
19. Bill against Cap. Stiles.
20. Bill against Cap. Stiles.
22. Envelope directed Cap. E. C. Stiles.
23 Bill against Mr. Talley.
24. Letter addressed Cap. Stiles signed by John Knox.

26. Copy of a letter addressed Messrs. Cunard, Wilson & Co. from E. C. Stiles.
27. Description of steamship building at Renfrew.
28. Envelope directed Cap. Stiles, Hanover square.
29. Communication to the editor of the Daily Telegraph.
30. Receipt in favor of Major Walker.
31. Communication to the editor of the Daily Telegraph.
32. Letter addressed Cap. Stiles from John Knox.
33. Ten photographs.
34. Relates to the attaching of certain guns, &c., no date, no sig.
35. Letter dated Oct. 29, '64, relates to guns, and to the detention of the Hawk.
36. Letter from E. C. Stiles.
37. Bill against Cap. Stiles.
38. Envelope directed Mr. Gromner.
39. Spanish regulations for captains.
40. Letter addressed E. C. Stiles from H. O. Hewer.
41. Almanac.
42. Sailing directions for the Gulf of Florida.
43. Printed agreement between crew and ship.
44. Telegram to E. C. Stiles from Jos. F. Lovell.
45. Description of a British steamer for sale.

Schedule I:

No. 1. Letter addressed S. R. McGahan from his sister.
2. Letter addressed S. R. McGahan from his sister.
3. Letter addressed S. R. McGahan from his wife.
137 4. Memorandum.
6. Requisitions for engines of steamer Wren.
8. Note in Spanish.
9. Letter addressed S. R. McGahan from his wife.
10. Letter addressed T. R. McGahan from S. Dible.
11. Letter addressed T. R. McGahan by W. Hasselton.
12. Letter addressed T. R. McGahan by W. Hasselton.
13. Letter addressed T. R. McGahan by his wife.
14. Letter addressed T. R. McGahan from his wife.
19. Envelope addressed T. R. McGahan, esq'r, Havana, Cuba.
20. Letter addressed T. R. McGahan from A. Benjamin.
22. Letter addressed T. R. McGahan from A. C. Wyley.
23. Bill against McGahan.
24. Hotel bill against McGahan.
25. Bill against S. S. Wren in favor of C. B. Cook.
26. Letter addressed T. R. McGahan by A. Lessuner.
27. Letter addressed T. R. McGahan from his sister.
28. Note from Jno. B. Mills, May 9, '65.
29. Invitation to T. R. McGahan.
30. Hotel bill against T. R. McGahan.
31. Letter addressed T. R. McGahan from W. W. Burney.
32. Letter addressed T. R. McGahan from his wife.
33. Bill against T. R. McGahau.

34. Letter addressed T. R. McGahan by Geo. C. Gaug.
35. Letter addressed T. R. McGahan by Jno. Lawney.
36. Letter addressed T. R. McGahan from his sister.
37. Letter addressed T. R. McGahan from his niece.
38. Bill against Capt. Moore.
39. Note to T. R. McGahan from Sarah Ann Calloway.
40. Letter addressed D. Culhane from Bryant.
41. Letter addressed to T. R. McGahan from his wife.
42. Letter addressed to T. R. McGahan from his wife.
43. Letter addressed to T. R. McGahan from his wife.
44. Letter addressed to T. R. McGahan from his wife.
45. Letter addressed to T. R. McGahan from his wife.
47. Letter addressed to T. R. McGahan from his wife.

138 48. Letter addressed Messrs. Brown, Shipley & Co. by Jas. Craig.

49. Card.
50. Letter addressed Elliott De Jarnett from his father, D. C. De Jarnett.
51. Letter addressed Messrs. Jno. Fraser & Co. by C. M. Prioleau.
52. Balance sheet of Messrs. Trenholm & Co.
53. Profit and loss acc't of Messrs. Fraser, Trenholm & Co.
54. Letter addressed T. R. McGahan from W. Hasseltine.
55. Memorandum.
56. Letter addressed T. D. Wagner from C. R. P.
57. Letter addressed Cap. Knowlton by J. E. Owens.
38. Passport for Dr. Andres J. Moore.
59. Sealed letter addressed Messrs. S. Prioleaue, care T. D. Wagner.
60. Letter addressed T. R. McGahan from his wife.
61. First officer's memorandum book S. S. Wren.
62. Package of receipts of articles rece'd on board Wren.
63. Package of receipts for goods delivered to st'r Wren.
64. Order for bag raisins.
65. Package cont'g five C. S. bonds for $500 each, directed to Thos. R. McGahan.
66. Spanish pass dated Jan'y 10, '65.
67. Envelope addressed W. S. Swymer.
68. Letter addressed T. R. McGahan from his sister.
69. Letter addressed T. R. McGahan from W. Hasseltine.
70. Letter addressed T. R. McGahan from W. Hasseltine.
71. Letter dated at Augusta, Ga., Dec. 3, '64, from Jno. to Tom.
72. Duplicate letters addressed T. R. McGahan by Moncuze Statesbury.
73. Invoice of McCombe patent cotton press.
74. Duplicate invoice of McCombe patent cotton press.
75. Copy of letter to Augustus Dibble and T. R. McGahan by Moneze Statesbury.
76. Letter addressed T. R. McGahan from Moncuze Statesbury.

Schedule K:

1. Copy of letter addressed Mr. Sigmun Guterman by E. S. Stiles.
2. Translation from the New York Handur Zeiturn.
3. Likeness of Jas. L. Orr.

139 4. Letter addressed D. D. Talley from Jno. McGill.
5. Letter addressed Cap. E. C. Stiles by Thos. S. Begbie.
7. Letter addressed E. C. Stiles from S. Isaac Campbell.
8. Hotel bill against Cap. Stiles.
9. Appears to be an index to some other paper and private matter.
10. Draft of steamer Cornubia.
11. Draft of S. S. Justitia.
12. Copy of bill of sale of a certain piece of land.
13. Package of eleven sheets descriptions of vessels.
14. Note from B. P. Buchan to Cap. Stiles.
15. Card of James T. Soutter.
16. Bill against E. C. Stiles.
17. Bill against Cap. Stiles.
18. Bill against Cap. Stiles.
19. Invitation card addressed to Cap. Stiles.
20. Bill against Cap. Stiles.
21. Card of W. W. Glen.
22. Letter addressed Cap. E. C. Stiles, from Wil. Boyl.
23. Letter addressed Cap. E. C. Stiles, no signature.
24. Bill against Cap. Stiles.
25. Bill against Cap. Stiles.
26. Bill against Mrs. Preston.
28. Note to Cap. Stiles.
29. Letter from L. M. Broadwell dated Munich, Feb. 29, '62.
30. Letter addressed Sam'l J. Harrison from F. C. Stiles.
31. Copy of letter addressed Col. Floyd J. Beale, chief of C. S. marine corps, from E. C. Stiles, Dec. 9, '64.
32. Envelope directed Cap. E. C. Stiles, St. James.
33. Letter addressed Mr. Williamson from E. C. Stiles.
34. Letter addressed Col. Floyd J. Beale by E. C. Stiles.
37. Letter addressed Cap. Jas. D. Bullock by Cunard, Wilson & Co.
40. Envelope directed V. De Morie, London, England.
41. Bill against Cap. Stiles.
42. Card of M. De Morie.
43. List of lottery tickets belonging to Mr. Cook.
44. Steamboat ticket.

140 45. Bill.
46. Bill.
47. Note from E. C. Stiles to J. H. Housen for $2,000.
48. Nine photographs.

(Signed) HENRY G. PLANTZ,
U. S. Att'y, S. Dis't, Fl'a.

(Signed) SAMUEL WALKER,
Proctor for the Claimant.

Key West, August 23d, 1865.
REC. 373—5

141 *Depositions under order for further proof.*

THE UNITED STATES
vs.
THE STEAMER WREN, EDWARD C. STILES, master and claimant. } Prize.

Deposition of Thomas R. McGahan before W. C. Maloney, esq., prize commissioner at Key West, June 29th, 1865.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer "Wren" at the time of her seizure?

To the first interrogatory he answers that his name is Thomas R. McGahan; on the present voyage of the "Wren" he was the purser of the "Wren;" his occupation generally is that of a merchant, his place of residence is Charleston, South Carolina; he was on board the steamer "Wren" at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the "Wren" and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution?

142 To the second interrogatory he answers that he does not know the names of all the persons who took part in the seizure of the "Wren" and the dispossession of the master; a man whose name he believes to be Gilley, and another called Van Amburgh, with two others whose names he did not know, came into deponent's room and made him a prisoner; from the conduct of a man called Hamilton and one called Harwood, and the carpenter and the third officer, Duggan, subsequent to the seizure, he believes that they had knowledge of the undertaking before its commencement.

Third interrogatory. State the name of the person who appointed Edward C. Stiles to the command of the steamer "Wren;" state to the best of your knowledge and belief.

To the third interrogatory he answers that he does not know who appointed Edward C. Stiles to the command of the "Wren." At the time of leaving Havana deponent believed that Major Charles J. Helms appointed Captain Stiles to the command; he arrived at that belief from hearing Major Helms speak of the resignation of the former master, Capt'n Moore, and of the steamer being about to go to England. He believed that Major Helms controlled the steamer; deponent desires to add that since the arrival of the "Wren" at Key West, he has heard Captain Stiles say that he, Stiles,

143 was appointed by Mr. Ramsay, which he believes to be the fact.

Fourth interrogatory. State in what capacity and by what authority the person who appointed Captain Stiles to the command of the "Wren," acted in making said appointment. State to the best of your knowledge and belief, and give your means of information.

To the fourth interrogatory he answers that he believes that Major Helms acted in the capacity of agent for Fraser, Trenholm and Company in making the appointment of Captain Stiles to the "Wren" as

master, if he made it at all. Has heard Major Helms say that he was the agent of Fraser, Trenholm and Company for the "Wren" and other steamers at Havana. He heard Major Helm say that he was in possession of a document which showed that he was the agent of Fraser, Trenholm and Company at Havana for the "Wren" and other steamers. Deponent heard Major Helm make this remark in connexion with a claim made by Addison Carmack for a debt asserted to be due to him by the Confederate States, for which he threatened to attach the "Owl."

Fifth interrogatory. Did the person who appointed Captain Stiles to the command of the "Wren," on the day of the appointment or previously, hold any public office or position in Havana or Cuba? If so, what office or position? Did he act in any public capacity? If so, in what capacity? State to the best of your knowledge
144 and belief, and give your means of information.

To the fifth interrogatory he answers that he does not know who appointed Captain Stiles; he has already said that he believes the appointment was made by Major Helm. Previous to the time of the appointment of Captain Stiles, and witness believes also at the time of that appointment, Major Helm was regarded as the confederate agent appointed by the government at Richmond. He has no knowledge of his having acted in any public capacity, but has heard him say that by the terms of his appointment he was not constrained to reside in Havana, but might reside anywhere else in the island of Cuba; from this conversation deponent inferred that Major Helm was residing in Cuba by appointment of the confederate government in a public capacity.

(Signed) T. R. McGAHAN.

Deposition of Edward C. Stiles before W. C. Maloney, esq., prize commissioner at Key West, June 29th, 1865.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer "Wren" at the time of her seizure?

145 To the first interrogatory he answers, that his name is Edward C. Stiles; occupation, master mariner; place of residence, England; he was on board the steamer "Wren" at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the "Wren" and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution.

To the second interrogatory he answers that he does not know the names of the persons who took part in the seizure and dispossession of the master; a person who he believes goes by the name of John Harwood, one of the quartermasters of the ship, and another person who is called Lewey, came into his room and made him a prisoner; the third officer, John Duggan, was on the bridge at the time and in charge of the watch, and he believes him to be one of the principal persons engaged in the mutiny. He has heard another person called

Gilley announce himself as the leader of the gang, after deponent was made a prisoner. He has also heard one of the quartermasters called Hamilton announce himself as being one of the party making the seizure. He believes that all the crew of the vessel excepting the first and second officers, the purser, the second engineer and cook were engaged in or took part in it afterwards; he is so led to
146 believe from their actions after the capture. He does not know who had knowledge of the undertaking before the commencement of its execution.

Third interrogatory. State the name of the person who appointed Edward C. Stiles to the command of the steamer "Wren." State to the best of your knowledge and belief.

To the third interrogatory deponent answers. Deponent was appointed to the command of the "Wren" by Mr. C. G. Ramsay, of Havana.

Fourth interrogatory. State in what capacity and by what authority the person who appointed Captain Stiles to the command of the "Wren" acted in making said appointment. State to the best of your knowledge and belief, and give your means of information.

To the fourth interrogatory. Deponent answers that he believes that Mr. Ramsay acted in the capacity of agent for the "Wren" at Havana, and by that authority appointed deponent to the command of the "Wren." The deponent's means of information in regard to Mr. Ramsay being the agent of the "Wren" at Havana is derived from the fact that Mr. Ramsay gave him a letter to the British consul, requesting the consul to consider deponent as the master
147 of the "Wren;" he has no other means of information on the subject.

Fifth interrogatory. Did the person who appointed Captain Stiles to the command of the "Wren" on the day of the appointment or previously, hold any public office or position in Havana or Cuba? If so, what office or position? Did he act in any public capacity? If so, in what capacity. State to the best of your knowledge and belief, and give your means of information.

To the fifth interrogatory deponent answers that he has no knowledge that the person who appointed him to the command of the "Wren" held any public office or position in Havana or Cuba, other than that of an authorized merchant. He has no knowledge that such person ever acted in any public capacity; he has no belief that he so acted, and has never been informed that he acted in any public capacity.

The actual words used are true, but signed under protest.

(Signed) EDW'D C. STILES,
Master British Steamer "Wren."

148 *Deposition of James C. Long before W. C. Maloney, esq., prize commissioner at Key West, June 30th, 1865.*

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer "Wren" at the time of her seizure?

To the first interrogatory he answers that his name is James C. Long; occupation, seaman; place of residence, Tennessee. He was on board the steamer "Wren" at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the "Wren" and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution?

To the second interrogatory he answers that he does not know the names of all the persons who took part in the seizure of the "Wren." Some of the crew came into deponent's room and made him a prisoner. One was called Dick, and one Jimmy; both of these were firemen; the other two, he did not recognize. He does not know who had knowledge of the undertaking before the commencement of its execution.

Third interrogatory. State the name of the person who
149 appointed Edward C. Stiles to the command of the steamer "Wren." State to the best of your knowledge and belief.

To the third interrogatory he answers he believes that Captain Stiles was appointed to the command of the Wren by Mr. C. G. Ramsay, at Havana; he forms this belief from the fact that whenever deponent needed anything for the use of the Wren he was generally sent by Captain Stiles to this Mr. Ramsay to obtain it.

Fourth Interrogatory. State in what capacity and by what authority the person who appointed Captain Stiles to the command of the Wren acted in making said appointment. State to the best of your knowledge and belief, and give your means of information.

To the fourth interrogatory he answers that he does not know in what capacity or by what authority the person who appointed Captain Stiles to the command of the Wren acted in making the appointment.

Fifth interrogatory. Did the person who appointed Captain Stiles to the command of the Wren, on the day of the appointment or previously, hold any public office or position in Havana or Cuba? If so, what office or position? Did he act in any public capacity? If so, in what capacity? State to the best of your knowledge and belief, and give your means of information.

150 To the fifth interrogatory he answers that he does not know if the person who appointed Captain Stiles to the command of the Wren, at the time of the appointment or previously, held any public office or position in Havana or Cuba.

(Signed) JAS. C. LONG.

Deposition of Thomas V. Jones before W. C. Maloney, esq., prize commissioner at Key West, June 30th, 1865.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer Wren at the time of her seizure?

To the first interrogatory he answers that his name is Thomas V. Jones; occupation, seaman; resides in Liverpool. Was on board the Wren at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the Wren and the dispossession of the master, or who had knowledge of the undertaking before the com-
151 mencement of its execution.

To the second interrogatory he answers Mr. Gilley, Mr. Hamilton, and several others whose names he does not know, took part in the seizure of the Wren. Three persons came to deponent's room, and made him a prisoner; one of these persons is called Dick, and one Scottie; the other person he does not know by name; all three are firemen on the ship.

Third interrogatory. State the name of the person who appointed Edward C. Stiles to the command of the steamer Wren. State to the best of your knowledge and belief.

To the third interrogatory he answers that he does not know the name of the person who appointed Captain Stiles to the command of the Wren. Has heard Captain Stiles say that he was appointed by Mr. Ramsay; this remark of Captain Stiles was made since the Wren was brought into Key West, and had reference to the testimony in this case taken before the prize commissioner.

Fourth interrogatory. State in what capacity and by what authority the person who appointed Captain Stiles to the command of the Wren acted in making said appointment. State to the best of your knowledge and belief, and give your means of information.

152 To the fourth interrogatory he answers that he does not know.

Fifth interrogatory. Did the person who appointed Captain Stiles to the command of the Wren, on the day of appointment or previously, hold any public office or position in Havana or Cuba? If so, what office or position? Did he act in any public capacity? If so, in what capacity? State to the best of your knowledge and belief, and give your means of information.

To the fifth interrogatory he answers that he does not know.

(Signed) T. V. JONES.

Deposition of Charles W. Gilley before W. C. Mahoney, esq., prize commissioner at Key West, June 30th, 1865.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer Wren at the time of her seizure?

To the first interrogatory he answers that his name is Charles W. Gilley; occupation, shipmaster; residence, Baltimore, Maryland,
153 and was on board the Wren at the time of her seizure?

Second interrogatory. Give the names of all the persons who took part in the seizure of the Wren and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution.

To the second interrogatory he answers that himself and Patrick Hamilton, John Francis Howard, Robert Carston, Charles Davis, Owen Farley, Louis Vernell, Peter Colley, Peter Murray, and Edward Farley were all the persons who took part in the seizure of the

Wren and the dispossession of the master. No other person to his knowledge had knowledge of the undertaking before the commencement of its execution.

(Signed) C. W. GILLEY.

Deposition of John Francis Howard before W. C. Maloney, esq., prize commissioner at Key West, June 30th, 1865.

First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer Wren at the time
154 of the seizure?

To the first interrogatory he answers that his name is John Francis Howard; occupation, seaman; residence, Washington city, D. C. Was on board the Wren at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the Wren and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution?

To the second interrogatory he answers that himself, Charles Gilley, Patrick Hamilton, Peter Murray, Edward Farley, Owen Farley, Charles Davis, Peter Colley, Louis Vernell, Richard Carston, were all the persons who took part in the seizure of the Wren and the dispossession of the master. He believes that no other persons on board had knowledge of the undertaking before the commencement of its execution.

(Signed) JOHN FRANCIS HOWARD.

Deposition of Patrick Hamilton before W. C. Maloney, esq., prize commissioner at Key West, June 30th, 1865.

155 First interrogatory. What is your name, occupation, and place of residence? Were you on board the steamer Wren at the time of her seizure?

To the first interrogatory he answers that his name is Patrick Hamilton; occupation, a steamboat man; residence, Mobile, Alabama, and was on board the Wren at the time of her seizure.

Second interrogatory. Give the names of all the persons who took part in the seizure of the Wren and the dispossession of the master, or who had knowledge of the undertaking before the commencement of its execution.

To the second interrogatory he answers that himself, Captain Gilley, Mr. Howard, Mr. Carston, Mr. Davis, Peter Colley, Ned Farley and Owen Farley, Peter Murray, and Louis Vernell were all the persons who took part in the seizure of the Wren. He believes that the knowledge of the undertaking was confined to the above-named persons on board the Wren before its commencement.

(Signed) P. HAMILTON.

157 District court of the United States for the southern district of Florida.

I, George D. Allen, clerk of the district court of the United States for the southern district of Florida, do hereby certify that the foregoing document, hereunto annexed, is a correct transcript of record of this court in the cause of the United States *vs.* The Steamer Wren and cargo, Edw'd Stiles, claimant, lately adjudicated in this court, as appears from the admiralty records and files of said court, kept in my office, and original papers transmitted pursuant to order of said court.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said court at Key West, in the southern district of Florida, this fourth day of October, in the year of our Lord one thousand eight hundred and sixty-five, and independence of the United States the 90th.

GEORGE D. ALLEN, *Clerk.*

O

Wm. C. Bryant & Co., Printers, 41 Nassau Street, cor. Liberty, N. Y.

Supreme Court

OF THE UNITED STATES.

The Steamship "Wren" and Cargo, Edward C. Stiles, Master and Claimant,
Appellant,
vs.
The United States.

Brief and Points for Appellant.

EDWARDS PIERREPONT,
Of Counsel for Appellant.

On the 16th day of June, 1865, the steamship *Wren* was libelled "as a prize of war," in the District Court of the United States for the Southern District of Florida. (Page 1, Fol. 2.)

On the 15th of August, 1865, she was "*condemned as lawful prize of war.*" (Page 6, fol. 12.)

The steamer was built by Messrs. Laird, at Birkenhead, England, in 1864, and her certificate of regis-

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On the 15th of August, 1865, she was "*condemned as lawful prize of war.*" (Page 6, fol. 12.)

The steamer was built by Messrs. Laird, at Birkenhead, England, in 1864, and her certificate of regis-

[illegible] dated December 24th, 1864, and she was owned by John Laird, of Liverpool (pages 24 and 25, 30, 37); she was never sold or transferred, and was owned by Laird, the younger, on the day of her pretended capture. (Page 10, fol. 22; page 11, fol. 25; page 3, fol. 4; page 13, fol. 29.)

On the 13th of June, 1865, the steamer left the port of Havana bound to Liverpool with regular clearance.

On the morning of the 13th, while the captain was asleep, a part of the crew mutinied, bound the captain and the chief officers, and run the steamer into Key West, and caused her to be libelled in the Prize Court. (Page 3, fol. 5.) *There was no other capture.*

The steamer had no guns and no cargo whatever. She was on her way, under English colors, from Havana to Liverpool, to be delivered to her owner, Mr. Laird, an Englishman and a British subject.

The crew were regularly shipped at Havana for Liverpool. (Pages 25, 26, 27.)

We believe there is no dispute about the shipment of her crew, her clearance, her destination, or touching any of the facts above stated.

The sole question raised by the record seems to be whether a British steamer—built in the British realm—by British subjects, and by them owned, and sailing under the British flag, on a regular voyage from Havana to Liverpool, *via* Halifax, could be seized by a mutinous crew, taken by the mutineers

into Key West, and be there condemned "as lawful prize of war," *in August*, 1865?

For convenience, we print the evidence *verbatim*, upon which we rely.

OWNERSHIP.

Form No. 9 A, steamer.—Certificate of British registry.

[British coat of arms.]

Official number of ship, 51,056; port number, 533; date of registry, 24th December, 1864.

Name of ship, *Wren*. British or foreign built, British; built at Birkenhead, in the county of Chester, in 1864; port of registry, Liverpool; how propelled, by paddles; number of decks, one; number of masts, two; rigged, schooner; stern, elliptical; build, clencher; galleries, none; head none; framework, steel.

Page 24, fol. 57.

* * * * * *

Name and address of engine maker, Messrs. Laird Bro's, Birkenhead.

I, the undersigned, registrar of the port of Liverpool, hereby certify that the ship the description of which is prefixed to this my certificate, has been duly surveyed, and that the above description is true; that William Raisbeck, whose certificate of competency is No. 13,028, is the master of the said ship, and that the name, residence, and description of the owner, and number of sixty-fourth shares held by him, are as follows:

Name, residence, and occupation of the owner; John Laird, the younger, of Birkenhead, in the county of Chester, ship builder. No. of sixty-fourth shares, sixty-four, (64.)

Dated at Liverpool the 24th day of December, one thousand eight hundred and sixty-four.

(Sig'd) S. RICE EDWARDS,
Registrar.

Oath of the Captain

try is dated December 24th, 1864, and she was owned by John Laird, of Liverpool (pages 24 and 25, fol. 57); she was never sold or transferred, and was owned by Laird, the younger, on the day of her pretended capture. (Page 10, fol. 22, page 11, fol. 25, page 2, fol. 4, page 13, fol. 29.)

On the 12th of June, 1865, the steamer left the port of Havana, bound to Liverpool, with regular clearance.

On the morning of the 13th, while the captain was asleep, a part of the crew mutinied, bound the captain and the chief officers, and run the steamer into Key West, and caused her to be libelled in the Prize Court. (Page 3, fol. 6.) *There was no other capture.*

The steamer had no guns and no cargo whatever. She was on her way, under English colors, from Havana to Liverpool, to be delivered to her owner, Mr. Laird, an Englishman and a British subject.

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The sole question raised by the record seems to be whether a British steamer—built in the British realm—by British subjects, and by them owned, and sailing under the British flag, on a regular voyage from Havana to Liverpool, *via* Halifax, could be seized by a mutinous crew, taken by the mutineers

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For convenience, we print the evidence *verbatim*, upon which we rely.

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[British coat of arms.]

Official number of ship, 51,056; port number, 533; date of registry, 24th December, 1864.

Name of ship, *Wren*. British or foreign built, British; built at Birkenhead, in the county of Chester, in 1864; port of registry, Liverpool; how propelled, by paddles; number of decks, one; number of masts, two; rigged, schooner; stern, elliptical; build, clencher; galleries, none; head none; framework, steel.

Page 24, fol. 57.

* * * * * *

Name and address of engine maker, Messrs. Laird Bro's, Birkenhead.

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Name, residence, and occupation of the owner; John Laird, the younger, of Birkenhead, in the county of Chester, ship builder. No. of sixty-fourth shares, sixty-four, (64.)

Dated at Liverpool the 24th day of December, one thousand eight hundred and sixty-four.

(Sig'd) S. RICE EDWARDS,
Registrar.

Oath of the Captain

And now comes Edward C. Stiles, and says, that he is the master of the said steamer *Wren*, and as such is the lawful bailee of said steamer, her tackle, apparel, and furniture, and claims the same for the owner thereof.

And he further says that John Laird, a lawful British subject, residing in England, *is the true and bona fide owner of said steamer, and that no other person is the owner thereof*, as appears by the register of said steamer now in the possession of the Court, and as he is informed and believes.

And he further says that the said steamer had no cargo when seized.

And he further says that he denies that said steamer is a prize of war.

And he further prays restitution of said steamer, her tackle, apparel, and furniture, and that this honorable Court will award such damages as shall appear to have been incurred and suffered by reason of the unlawful seizure and detention of the same, and grant such other and further relief as to the Court may seem meet and just.

And he will ever pray, &c.

(Signed) EDWARD C. STILES,
Master British Steamer *Wren*.

(Signed) SAMUEL WALKER,
Proctor.

Sworn and subscribed before me,
this 26th day of June, 1865,

(Signed) GEORGE D. ALLEN, Clerk.

(Page 3, fol. 5.)

3d. To the third interrogatory deponent answers: That on the morning of the thirteenth June, before daylight, the seizure was made by a portion of his own crew taking possession of the steamer, and placing himself and two of his officers in irons. The steamer was brought into the port of Key West on the evening of the same day. The steamer had no commission or letters authorizing her to make prizes. He considers the seizure a clear case of mutiny.

4th. To the fourth interrogatory deponent answers: The captured vessel sailed under the British colors; does not

know what other colors were on board; the third officer had informed him that there was a Confederate flag on board, and he was satisfied that there was such a flag on board. The witness desires to correct the foregoing statement by saying there was a Confederate flag on board; does not know for what reason the Confederate flag was on board; he did not take it on board nor did he want it on board.

5th. To the fifth interrogatory deponent answers: That himself and officers were overpowered simultaneously; no further resistance was made, no guns were fired. The capture was not made by any ship or ships, but by a portion of his own crew; no ships in sight at the time of the capture. The captured vessel was a merchantman, and belonged to one Laird, junior, as he inferred from the register, and was informed.

6th. To the sixth interrogatory deponent answers: The first port the vessel would have entered would have been Halifax, if she had not been seized; the second port would have been Liverpool, England. He was employed to take her to Liverpool, England, and should there have delivered her up.

7th. To the seventh interrogatory deponent answers: The vessel taken was named the *Wren*, and Edward C. Stiles, master. He was appointed to the command by Mr. Ramsay, at Havana; has known the vessel about six weeks; is himself the master; the vessel was delivered to deponent by Captain Moore; the fixed place of abode of witness is in England.

8th. To the eighth interrogatory deponent answers: The vessel is about four hundred and fifty tons; is not positive as to the number of the vessel's company; thinks there was thirty-four, and all on board at the time of the seizure; some are Englishmen, some are southerners. They all came on board at Havana; the third officer, the steward, and one boy deponent believes were in the vessel on a former voyage, and reshipped for this voyage; the others of the

crew came on board at Havana at different times; they were shipped by the Government Shipping Master in Havana in the month of June, 1865.

(Page 11, fol. 22.)

37th. To the thirty-seventh interrogatory deponent answers, that he has no knowledge of any sale of the vessel at any time. He verily believes that if the vessel should be restored, she will belong to Mr. Laird, the asserted owner, and to none others.

39th. To the thirty-ninth interrogatory deponent answers, that he believes the real and true property of the vessel is in Mr. Laird, of Liverpool, and her destination to have been to Liverpool.

Page 13, fol. 29.

As to Blockade.

21st. To the twenty-first interrogatory deponent answers that he knew that all the southern ports were blockaded at one time; at the time of the sailing of the vessel on the voyage on which she was seized, he understood that the war was over, and that the blockade had ceased.

22d. To the twenty-second interrogatory deponent answers, neither the port from which the vessel sailed on the voyage on which she was captured nor the port to which she was bound was under an order of blockade by the government of the United States; heard nothing said of the vessel's breaking any blockade.

Page 12, fol. 26.

(From deposition of J. C. Long.)

21st. To the twenty-first interrogatory deponent answers, that he had had knowledge of all the southern ports having been blockaded at one time, but at the time of leaving on the present voyage was informed that all those ports were in possession of the forces of the United States.

Page 15, fol. 35.

(From deposition of G. R. McGRAHAM, the purser of this vessel.)

21st. To the twenty-first interrogatory deponent answers, that he had known that all the ports of the southern coast had been held under blockade by the naval forces of the United States, but at the commencement of the present voyage he understood that all the ports were then open, and that the blockade had ceased.

22d. To the twenty-second interrogatory deponent answers, neither the port from which the vessel sailed nor the port to which she was bound were under order of blockade by the government of the United States at the time she sailed or was captured; nothing whatever had been said about the vessel's breaking any blockade on the voyage on which she was captured by any person, or visiting any intermediate port, and thence breaking any blockade.

Page 19, fol. 43.

6th. To the sixth interrogatory deponent answers, the first port which the vessel would have entered, if she had not been seized, would have been Halifax; the second port Liverpool; her voyage would have terminated there.

Page 17, fol. 39.

8th. To the eighth interrogatory deponent answers, that he does not know the tonnage or burden of the vessel; does not know the number of the vessel's company, nor the actual number on board at the time of capture, nor what countrymen they are; all came on board at Havana; believes they were hired by C. G. Ramsay, at Havana; the terms of the shipping agreement was for a voyage from Havana to Liverpool, for the sums set opposite to the respective names, varying according to the station of the party; he was not on pay; and believes the shipping agreement was absolute, and that no other or greater compensation was to have been allowed for the voyage.

9th. To the ninth interrogatory deponent answers, that he belonged to the company of the vessel in the capacity of purser; he had no interest or share in the vessel; nor does he know or believe that any other person on board had any share or interest in said vessel; the vessel was without cargo.

10th. To the tenth interrogatory deponent answers, he has known the vessel about two weeks; first saw her in Havana; carried no guns; believes she is English built; has only known her by the name of the Wren; had never heard of her having any other name.

Page 18, fol. 41.

3d. To the third interrogatory deponent answers, that the capture was made at sea, on the morning of the thirteenth of June; was carried into the port of Key West; the vessel had no commission or letters authorizing her to make prizes to his knowledge; he does not know for what reasons or on what pretence the capture was made.

4th. To the fourth interrogatory deponent answers, the captured vessel sailed under British colors; he saw no other colors until the vessel arrived in this port; saw then a Confederate flag; does not know for what reason she had such other colors.

5th. To the fifth interrogatory deponent answers, there was no resistance made at the time of capture; no guns were fired; the capture was not made by any ship or ships, but was made by a portion of the crew rising upon the master and officers of the vessel, and taking forcible possession; the captured vessel was a merchantman.

Page 17, fol. 39.

(The shipping articles are at pages 26 and 27.)

(As to Appointment of the Master.)

Third Interrogatory.—State the name of the person who appointed Edward C. Stiles to the command of the steamer *Wren?* State to the best of your knowledge and belief.

To the third interrogatory, deponent answers: Deponent was appointed to the command of the *Wren* by Mr. C. G. Ramsay, of Havana.

Fourth Interrogatory.—State in what capacity and by what authority the person who appointed Captain Stiles to the command of the *Wren* acted in making said appointment. State to the best of your knowledge and belief, and give your means of information.

To the fourth interrogatory, deponent answers: That he believes that Mr. Ramsay acted in the capacity of agent for the *Wren* at Havana, and by that authority appointed deponent to the command of the *Wren*. The deponent's means of information in regard to Mr. Ramsay being the agent of the *Wren* at Havana is derived from the fact that Mr. Ramsay gave him a letter to the British Consul, requesting the Consul to consider deponent as the master of the *Wren;* he has no other means of information on the subject.

Fifth Interrogatory.—Did the person who appointed Captain Stiles to the command of the *Wren*, on the day of appointment, or previously, hold any public office or position in Havana or Cuba? If so, what office or position? Did he act in any public capacity? If so, what capacity? State to the best of your knowledge and belief, and give your means of information.

To the fiffth interrogatory, deponent answers: He has no knowledge that the person who appointed him to the command of the *Wren* held any public office or position in Havana or Cuba, other than that of authorized merchant. He has no knowledge that such person ever acted in any public capacity. He has no belief that he so acted, and has never been informed that he acted in any public capacity.

The actual words used are true, but signed under protest.

(Signed) EDWD. C. STILES,
Master of British steamer *Wren*.

Page 67, fol. 147.

(Deposition of Jones.)

Third Interrogatory.—State the name of the person who appointed Edward C. Stiles to the command of the steamer *Wren*? State to the best of your knowledge and belief.

To the third interrogatory, he answers: He believes that Captain Stiles was appointed to the command of the *Wren* by C. G. Ramsay, at Havana. He forms his belief from the fact that whenever deponent needed anything for the use of the *Wren* he was generally sent by Capt. Sitles to this Mr. Ramsay to obtain it.

Page 69 to 149.

Deposition of T. V. Jones to the same effect. (page 70, fol. 151.)

POINTS.

First Point.—Take this Record and change nothing but the year, making the date of the libel and decree June 16th and August 15th, 1867, instead of 1865, and the Court could not hesitate to declaree that such decree of condemnation of the steamer "*as prize of war*" would be totally illegal.

If a mutinous crew of an English vessel on her voyage from Havana to Liverpool should bring such

vessel into Key West, and get her condemned in a Prize Court as a "*prize of war*" at this time, the decree would be absurd.

Second Point.—We submit that this decree should be reversed, as having no foundation in any law whatever.

This Court will not tolerate an argument for the purpose of proving that a neutral ship, sailing between neutral ports without arms or cargo, could have been condemned "*as lawful prize of war*," at the instance of a band of mutineers who had seized the ship and brought her within our territory, even when the war was flagrant.

Third Point.—There must be actnal war, or there can be no "prize of war;" (2 Black., 635, Prise Cases,) and during actual war there can be no condemnation of a neutral vessel as "lawful prize of war," unless the neutral vessel is taken *in delicto*.

If the neutral vessel runs the blockade and returns, she ceases to be *in delicto* the moment she completes her return voyage.

(Wheaton on Captures, p. 306, 307.)
Haslett v. Roche, Mar. Warfare, p. 175.
The Mentor, 1 C. Rob., 179.
Chitty's Law of Nations, p. 145, 146.
1 Duer on Ins., p. 88.

Woolsey on Int. Law, Sec. 1, 88, Sec. Ed.
1 Kent's Com., 152.
The Rosalie and Betty, 2 Rob. R., 343.
The Nancy, 3 Rob. R., 122.
Carrington *v.* The Merchants' Ins. Co., 8 Peters, 495.
The Lisette, 6 Rob. R., 337.
The Hoffnung, 6 Rob. R., 112.
Williams *v.* Smith, 2 Caines's R., 1.

If the steamer had gone from Liverpool to Charleston during the blockade and returned to Liverpool in safety, and had after that cleared from Liverpool for Malta, she could not have been taken on such voyags by mutinous crew or by ship-of-war, and have been condemned in our Admiralty as "lawful prize of war." The steamer was a neutral merchantman, on a lawful voyage between neutral ports, under regular clearance, under neutral colors, and violating no laws of nations.

Fourth Point.—If a ship should be seized today in the same manner and under the same circumstances as this steamer was seized, the act would be mere piracy,—robbing on the high seas.

The seizure by violence of another's property is abhorrent to peaceful law, and has no justification save in dire necessity—the sole right is the *jus belli*—and there is no such thing as "jus belli" where there is no *bellum*—the *jus belli* does not exist before the war; it ceases the moment the war is ended;

it is the right of violence; never to be extended—its *termini* should not be widened.

On the 16th of June, 1865, when this libel was filed, there was no war.

War is a *fact*, too substantial to be created or destroyed by wordy proclamations.

In the prize cases (2 Black., 667,) the Court say: "As civil war is never publicly proclaimed, *eo womine*, against insurgents, its actual existence is a *fact* in our domestic history which the Court is *bound to notice and to know.*"

If the President should to-day proclaim that war exists between the United States and the six New England States, it would not change the fact, which is, that there is profound peace; and if a mutinous crew of a vessel, on her voyage between Boston and Havana, should bring her into Florida and get her condemned as "lawful prize of war," your Honors would not affirm such decree.

And if President Lincoln had proclaimed, in June, 1864, that peace was restored, the *fact* of war, grim and terrible, would nevertheless have been recognized by all.

As "the *existence* of war is a fact which the Court is bound to notice and to know," so the the *cessation* of war is equally *a fact* "which the Court is bound to notice and to know."

The war, *as a fact*, ceased many weeks before the 16th of June, 1865.

General Lee surrendered April 9th, 1865.

Kirby Smith and General Johnson surrendered the same month.

Jefferson Davis was captured on the 10th of May, 1865.

Surely there was no war after that.

If anything more is required, the proclamations of the Executive will aid in solving the question.

On the 10th of May, 1865, the President issued the following

PROCLAMATION:

"*Whereas*, The President of the United States, by his Proclamation of the 19th day of April, 1861, did declare certain States therein mentioned in insurrection against the Government of the United States;

And whereas, Armed resistance to the authority of this Government, in the Insurrectionary States, *may be regarded as virtually at an end*, and the persons by whom that resistance, as well as the operations of 'insurgent cruisers,' was directed, are '*fugitives* or *captives*.'"

U. S. Stat., Vol. 13, p. 757.

Key West, in the State of Florida, was declared an open Port April 11, 1865.

U. S. Stat., Vol. 13, p. 754.

Fifth Point.—The decree (page 6) states that the steamer *Wren* was "the property of the enemies of the United States" and "condemned" as "lawful prize of war."

We are not advised by any finding of the Court, who were regarded as the owners of the steamer or who were "*the enemies*" mentioned. But the evidence in the case proves, beyond all dispute, that the steamer was built in England (only a few months before her condemnation), by British subjects, and that she was owned in England by an Englishman, and that she had never been owned by any one else.

(See the evidence before cited.)

British subjects were not (in any legal sense) "enemies of the United States."

Sixth Point.—There is not a particle of evidence to show that the steamer was ever enemies' property; but the evidence is conclusive that she was at all times the property of a British neutral.

(See the evidence cited.)

Seventh Point.—Even if she had been the property of Jeff. Davis or of his government, she could not have been lawfully seized and condemned as "prize of war" at the dates mentioned,—the war having ended before the seizure.

"Prize of war," comes of war and of war alone.

If a steamer, which formerly belonged to the Confederates, should clear to-day for Liverpool from Havana, could she *now* be captured by a mutinous crew and condemned "as prize of war?"

There can be no "prize of war" except during actual war.

Eighth Point.—The steamer was never captured by the United States, nor by any one authorized by the United States. The crew mutinied while the vessel was on a peaceful and lawful voyage, and undertook to profit by their crime—the United States never sanctioned the infamous act—and the condemnation was, for this additional reason, unlawful.

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The *Cape of Good Hope*, 2 C. Rob., 292, and cases in Note, p. 285.
Upton on Maritime Warfare, p. 118.
Vattel, Book 3, ch. 15, sec. 223.
2 Kent Com., 94 to 97.
The *Helen*, 3 C. Rob., 225.
Haslett and Roche, p. 98 and 300.

Ninth Point.—We submit that this is a clear case where the decree below should be reversed, and restitution ordered;—and that the grounds are much stronger than in the case of the *Sir William Peel*, 5 Walace, 517, or in The U. S. *vs.* Weed, 5 Walace, 73.

EDWARDS PIERREPONT,
Of Counsel for Claimant.